Missouri House of Representatives

House Journals

1998 Session

First Day, Wednesday, January 7, 1998
Second Day, Thursday, January 8, 1998
Third Day, Monday, January 12, 1998
Fourth Day, Tuesday, January 13, 1998
Fifth Day, Wednesday, January 14, 1998
Sixth Day, Thursday, January 15, 1998
Seventh Day, Monday, January 19, 1998
Eighth Day, Tuesday, January 20, 1998
Ninth Day, Wednesday, January 21, 1998
Tenth Day, Thursday, January 22, 1998
Eleventh Day, Monday, January 26, 1998
Twelfth Day, Tuesday, January 27, 1998
Thirteenth Day, Wednesday, January 28, 1998
Fourteenth Day, Thursday, January 29, 1998
Fifteenth Day, Monday, February 2, 1998
Sixteenth Day, Tuesday, February 3, 1998
Seventeenth Day, Wednesday, February 4, 1998
Eighteenth Day, Thursday, February 5, 1998
Nineteenth Day, Monday, February 9, 1998
Twentieth Day, Tuesday, February 10, 1998
Twenty-first Day, Wednesday, February 11, 1998
Twenty-second Day, Thursday, February 12, 1998
Twenty-third Day, Monday, February 16, 1998
Twenty-fourth Day, Tuesday, February 17, 1998
Twenty-sixth Day, Thursday, February 19, 1998
Twenty-fifth Day, Wednesday, February 18, 1998
Twenty-seventh Day, Monday, February 23, 1998
Twenty-eighth Day, Tuesday, February 24, 1998
Twenty-ninth Day, Wednesday, February 25, 1998
Thirtieth Day, Thursday, February 26, 1998
Thirty-first Day, Monday, March 2, 1998
Thirty-second Day, Tuesday, March 3, 1998
Thirty-third Day, Wednesday, March 4, 1998
Thirty-fourth Day, Thursday, March 5, 1998
Thirty-fifth Day, Monday, March 9, 1998
Thirty-sixth Day, Tuesday, March 10, 1998
Thirty-seventh Day, Wednesday, March 11, 1998
Thirty-eighth Day, Thursday, March 12, 1998
Fortieth Day, Monday, March 23, 1998
Forty-first Day, Tuesday, March 24, 1998
Forty-second Day, Wednesday, March 25, 1998
Forty-third Day, Thursday, March 26, 1998
Forty-fourth Day, Monday, March 30, 1998
Forty-fifth Day, Tuesday, March 31, 1998
Forty-sixth Day, Wednesday, April 1, 1998
Forty-seventh Day, Thursday, April 2, 1998
Forty-eighth Day, Monday, April 6, 1998
Forty-ninth Day, Tuesday, April 7, 1998
Fiftieth Day, Wednesday, April 8, 1998
Fifty-first Day, Thursday, April 9, 1998
Fifty-second Day, Monday, April 13, 1998
Fifty-third Day, Tuesday, April 14, 1998
Fifty-fourth Day, Wednesday, April 15, 1998
Fifty-fifth Day, Thursday, April 16, 1998
Fifty-sixth Day, Friday, April 17, 1998
Fifty-eighth Day, Tuesday, April 21, 1998
Fifty-ninth Day, Wednesday, April 22, 1998
Fifty-seventh Day, Monday, April 20, 1998
Sixtieth Day, Thursday, April 23, 1998
Sixty-first Day, Monday, April 27, 1998
Sixty-second Day, Tuesday, April 28, 1998
Sixty-third Day, Wednesday, April 29, 1998
Sixty-fourth Day, Thursday, April 30, 1998
Sixty-fifth Day, Monday, May 4, 1998
Sixty-sixth Day, Tuesday, May 5, 1998
Sixty-seventh Day, Wednesday, May 6, 1998
Sixty-eighth Day, Thursday, May 7, 1998
Sixty-ninth Day, Friday, May 8, 1998
Seventieth Day, Sunday, May 10, 1998
Seventy-first Day, Monday, May 11, 1998
Seventy-second Day, Tuesday, May 12, 1998
Seventy-third Day, Wednesday, May 13, 1998
Seventy-fourth Day, Thursday, May 14, 1998
Seventy-Fifth Day, Friday, May 15, 1998
Seventy-sixth Day, Thursday, May 21, 1998
Seventy-seventh Day, Thursday, May 28, 1998

Veto Session

First Day, Wednesday, September 16, 1998
Second Day, Thursday, September 17, 1998

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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

FIRST DAY, Wednesday, January 7, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L.Tatham.

Through joys, celebrations, holidays and hopes, and in the midst of the increasing complexity of human existence, we seek Your guidance and wisdom, O God. As this House of Representatives begins this session, standing at the threshold of a new year, we pray Your blessings on these who have been elected by the people of this state and on the staff who support their efforts. You, O Lord, know each one of them -- You know their needs, their motives, their hopes, and their fears.

Put your arm around them, O God of Love, and give them strength. May these representatives hear Your voice above all other voices; may they follow Your guidance above all other directives; may they seek Your will over the will of any lobbyists, advocates, or protesters. Most of all, may they feel Your presence as they work through the days that lie before them. Hear our prayers, O Lord, spoken and unspoken. Amen.

The Pledge of Allegiance to the flag was recited.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 157

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

ABSENT WITH LEAVE: 5

Auer Copeland Hand Shear Thompson 37

VACANCY: 001

COMMUNICATION FROM THE SECRETARY OF STATE

To the Honorable House of Representatives of the Eighty-Ninth General Assembly, Second Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, 1994, I have the honor to lay before your honorable body herewith a list of the names of the members of the House of Representatives for the Eighty-Ninth General Assembly (Second Regular Session) of the State of Missouri, elected at the General Election held on the 5th day of November, 1996 and members elected at special elections held during 1997.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affix the official seal of my office this 2nd day of January, 1998.

/s/ Rebecca McDowell Cook

SECRETARY OF STATE

MISSOURI HOUSE OF REPRESENTATIVES

1998

District Name

1st Karl DeMarce*

2nd Don Summers

3rd David Klindt**

4th Rex Barnett

5th Dan Hegeman

6th Randall H. Relford

7th Jewell D. H. Patek

8th Gary Wiggins

9th Sam D. Leake

10th Robert Clayton

11th Philip G. (Phil) Smith

12th Bill Leutkenhaus

13th Jon Dolan

14th Cindy Ostmann

15th Jon L. Bennett

16th Rich Chrismer

17th Don R. Kissell

18th Chuck Gross

19th Charles Nordwald

20th Gracia Yancey Backer

21st Ted Farnen

22nd Steve Gaw

23rd Timothy Harlan

24th Chuck Graham

25th Vicky Riback Wilson

26th Jim Seigfreid

27th Glenda Kelly

28th Charlie Shields

29th Maurice Lawson

30th Fred Pouche

31st Bill Skaggs

32nd Bonnie Sue Cooper

33rd Scott Lakin

34th Annie Reinhart

35th Luann Ridgeway

36th Rodger L. Fitzwater

37th Vernon Thompson

38th Tim Van Zandt

39th Marsha Campbell

40th Henry C. Rizzo

41st Fletcher Daniels

42nd Lloyd Daniel

43rd Mary Groves Bland

44th Steve McLuckie

45th Sandy Kauffman

46th Thomas J. Hoppe

47th Pat Kelley

48th Bill Boucher

49th Ralph A. Monaco

50th Carol Jean Mays

51st Dennis Bonner

52nd Connie Cierpiot

53rd Richard (Dick) Franklin

54th Don Lograsso

55th Carson Ross

56th Glenn Hall

57th O. L. Shelton

58th Louis H. Ford

59th Ron Auer

60th Vacant Due to Resignation of Russell Goward

61st Paula J. Carter

62nd Charles Quincy Troupe

63rd Dorathea Davis

64th Robert Hilgemann***

65th Tom Bauer

66th Harry Kennedy

67th Patrick Dougherty

68th James P. O'Toole

69th Dana L. Murray

70th Russell C. Gunn

71st Rita D. Days

72nd Betty L. Thompson****

73rd Timothy P. Green

74th Laurie B. Donovan

75th Mary Hagan-Harrell

76th Lana Stokan

77th David L. Reynolds

78th Carol Stroker

79th Patrick J. O'Connor

80th John J. Hickey

81st James Michael Foley

82nd David L. Levin

83rd S. Sue Shear

84th Joan Bray

85th Christopher A. (Chris) Liese

86th W. Todd Akin

87th Raymond W. (Bill) Hand

88th John Loudon

89th William (Bill) Linton

90th Bill Alter

91st Emmy McClelland

92nd Brent Evans

93rd Patricia (Pat) Secrest

94th Michael R. Gibbons

95th Jim Murphy

96th Joseph L. Treadway

97th Carl H. Hendrickson

98th May Scheve

99th Catherine S. Enz

100th Joan Barry

101st Kate Hollingsworth

102nd David (Dave) Broach

103rd Steve Stoll

104th Norman Sheldon

105th Marilyn Edwards

106th James E. (Jim) Graham

107th M. E. (Rocky) Johnson

108th Brian May

109th John E. Griesheimer

110th Francis Overschmidt

111th Jim Froelker

112th Merrill M. Townley

113th William (Bill) Gratz

114th Carl M. Vogel

115th Don Steen

116th Chuck Pryor

117th Larry Crawford

118th Matt Boatright

119th Delbert L. Scott

120th Jim Howerton

121st Deleta Williams

122nd D. J. Davis

123rd Ed Hartzler

124th Vicky Hartzler

125th Charlie Fritts

126th Martin (Bubs) Hohulin

127th T. Mark Elliott

128th Gary Burton

129th Chuck Surface

130th Gary Marble

131st Sam Gaskill

132nd Linda Bartelsmeyer

133rd Ronnie Miller

134th Norma Champion

135th Roy Holand

136th Mike Schilling

137th Chuck Wooten

138th Craig Hosmer

139th Phil Wannenmacher

140th Charlie Ballard

141st Judy Berkstresser

142nd Jim Kreider

143rd Estel Boyd Robirds

144th Mary Lou Sallee

145th Ken Legan

146th Beth Long

147th Doug Gaston

148th Bill L. Ransdall

149th Jerry E. McBride

150th Kelly Parker

151st Chuck Purgason

152nd Wayne Crump

153rd Don Koller

154th Mark L. Richardson

155th Patrick A. Naeger

156th Bill Foster

157th David Schwab

158th Mary C. Kasten

159th Marilyn Taylor Williams

160th Joe Heckemeyer

161st F. E. Gene Copeland

162nd Denny J. Merideth, III***

163rd Larry Thomason

*** Elected March 4, 1997 to fill vacancy created by death of Jim Sears**

**** Elected November 4, 1997 to fill vacancy created by resignation of Phil Tate**

***** Elected August 19, 1997 to fill vacancy created by resignation of Nancy Farmer**

****** Elected August 19, 1997 to fill vacancy created by resignation of Sheila Lumpe**

******* Elected April 1, 1997 to fill vacancy created by resignation of Donald Prost**

RESOLUTIONS

Representative Backer offered House Resolution No. 1.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Eighty-Ninth General Assembly, Second Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

On motion of Representative Backer, Rule 63 was suspended and House Resolution No. 1 was adopted by the following vote:

AYES: 155

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

ABSENT WITH LEAVE: 7

Auer Copeland Ford Hand Kissell

Shear Thompson 37

VACANCY: 001

Representative Backer offered House Resolution No. 2.

HOUSE RESOLUTION NO 2

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Eighty-Ninth General Assembly, Second Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Backer, Rule 63 was suspended and House Resolution No. 2 was adopted by the following vote:

AYES: 154

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

ABSENT WITH LEAVE: 8

Auer Copeland Ford Hand Kissell

Lograsso Shear Thompson 37

VACANCY: 001

. Representative Kreider offered House Resolution No. 3, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Thomason (163) offered House Resolution No. 4, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ford offered House Resolution No. 5, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTIONS

Representative Backer offered House Concurrent Resolution No. 1.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Eighty-Ninth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 14, 1998, to receive a message from His Honor, Duane Benton, the Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and Senate of the Eighty-Ninth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that his Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Backer, Rule 63 was suspended and House Concurrent Resolution No. 1 was adopted by the following vote:

AYES: 153

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

ABSENT WITH LEAVE: 9

Auer Copeland Daniels 41 Ford Green

Hand Kissell Shear Thompson 37

VACANCY:001

Representative Backer offered House Concurrent Resolution No. 2.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Eighty-Ninth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate

convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 21, 1998, to receive a message from His Excellency, Mel Carnahan, the Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Eighty-Ninth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Backer, Rule 63 was suspended and House Concurrent Resolution No. 2 was adopted by the following vote:

AYES: 153

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

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Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stoll Stroker Summers Surface Thomason 163

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

ABSENT WITH LEAVE: 9

Auer Copeland Daniels 41 Ford Hand

Kissell Shear Stokan Thompson 37

VACANCY: 001

Representative Leake offered House Concurrent Resolution No. 3.

Representatives Smith and Farnen offered House Concurrent Resolution

No. 4.

Representative Naeger, et al, offered House Concurrent Resolution No. 5.

SPEAKER ADDRESSES THE HOUSE

My grandfather turned 85 last year. In 1912 he was born in the hills south of Keytesville, Mo., where his great grandfather had located 70 some years before. His family---mother, father and four other siblings that would eventually become seven, lived on a few acres of hill ground in a house made of vertical boards.

In the winter brown paper would be placed around the walls to slow the wind from between the boards -- but providing little insulation from the cold. The family packed water from spring-fed ditches for drink and made meals, often composed of wild game, gravy, and things from the garden.

Pap, my grandfather's dad, would grow sweet potatoes and strawberries, trap furs and find farm labor jobs to bring in cash. It was a tough existence.

A lot has changed in the 85 years of my grandfather's life. The old horse drawn wagon that he rode with his mother to town in has been replaced by the automobile and the airplane; the woodstove by electric and gas heat; face-to-face communications by video teleconferencing and cell phones.

My grandfather's fifth grade education which served well enough to develop a trucking business and put together a large farming operation, would not be adequate preparation in the high tech world of today.

But as much as it has changed some things have not. My grandfather's parents wanted he and the rest of their children to be safe and healthy, to have a better life than they had, and to have the hard times making ends meet made easier. They wanted their children to be able to fulfill their dreams. In 85 years the desires of families in the hills south of Keytesville or in any other part of this state or nation have not changed.

So what does it mean to us as a state legislature?

All of us are here to serve the people of our districts, and to collectively serve the people of this state. Hopefully we are here in part to make this state a better place fore all of us live, work and raise our families -- to address the desires of families that have not changed, in a world that does.

In the last four years I believe we have made positive strides for families in Missouri. Missouri's economy, overall, is doing great. In the last year we have seen the creation of 62,000 new jobs, and we closed the year with a 3.6 percent unemployment rate. More than 2.7 million Missourians are working, which far surpasses all previous records in this state.

We serve a state that is rated third best financially managed in the country, one of a handful with a AAA bond rating, giving us the best possible interest on our bonds. And year after year we balance our budget in a state ranked 49th in the nation in tax burden as a percent of personal income.

Last year we were able to make it a little easier for families to make ends meet by eliminating the general sales tax on food. We made health care more accessible to our families by passing protections in a managed care bill that has become a model for the nation.

Two years ago we worked to raise the dismal immunization rate of young children in Missouri, protecting our children against dangerous illness and saving us all money by investing in prevention of illness instead of the treatment of it. In 1997, the immunization rate has risen an unprecedented 12 percent in just two years.

Welfare reform measures adopted in Missouri before the federal mandates have helped reduce Missouri's roles by 83,000. Workers' compensation reforms have taken skyrocketing rates that were making it difficult on Missouri's businesses and sent them rocketing downward.

Tough criminal sentencing laws requiring 85 percent of the sentence to be served before parole eligibility for dangerous felons and life sentences for sexual predators have helped make our streets and homes safer for our families.

And - very important - increased accountability for our schools coupled with fully funding the state's school foundation formula have reduced class sizes, given us more of the learning tools necessary for our children to be viable in the coming millennium and helped our ACT scores to rise faster than the national average.

This year we have an opportunity to continue to work for those goals that will maintain by our families. We have the opportunity to continue to offer help to hardworking Missourians trying to make ends meet.

Last year, we dropped taxes on food - something everybody needs. This year, let's give tax relief on something else everyone must have - shelter. Let us give an income tax credit toward a part of property taxes Missourians pay on their homes. And let us also not forget our seniors - without whom none of us would be where we are today - by expanding the property tax relief for seniors in Missouri laws.

I know that everyone in this chamber can, and in most cases will, think of many ways to cut taxes. But in a state that is 49th in tax burden and which must balance its budget, let us remember that revenue losses can adversely affect our children's future and the safety of our families as a result of cuts in law enforcement and corrections.

One of the most serious threats to Missouri has come from a drug that all of us have heard too much about in this state - meth. Missouri is at the top of the charts in production of meth in this country.

Over and over many of us have heard the stories of the ways meth affects the individual who uses it. But, it doesn't stop there - stories of families torn apart by the use of the drug, children exposed to its manufacture and use, happy lives turned to nightmares and sometimes extinguished.

Many of us have listened to law enforcement, community and family suggestions for additional tools in the battle against this drug. We cannot allow this horrible drug to destroy any more young people, any more families in this state.

Missouri has done much in the last few years to make this state an unwelcome place for sexual predators who prey on children and women. This year we have the opportunity to go further by adopting legislation that will allow dangerous public safety risks to be kept off our streets.

Let us work to pass a constitutional civil commitment law in Missouri for dangerous sex offenders with a propensity to add more victims to their lists.

The future of this state depends in large part on the opportunities of our children. The surest opportunity I know lies in education. Just as importantly, our children's ability to have a life that is better than ours depends in part upon their ability to be successful financially. For most of us, that means finding a good job.

If my grandfather has seen changes in this lifetime, it is likely that they will pale in comparison to what we will see. In the last 25 years those changes have been dramatic. Twenty-five years ago there were two military

super powers -- today the U.S. is alone. Twenty-five years ago we were the only economic super power, now we share that place with Japan and the gradually uniting countries of Europe. The new economic competition to a great extent will affect the standard of living that workers have.

Jobs are more and more readily moved to cheaper labor markets. If we want to maintain higher standards of living, our workers must have higher skills that are in demand. To help give Missourians an advantage I propose that we focus some of our resources for higher education, including technical training, in a new program designed to give incentives for Missouri students to study in fields of high need in the state.

This program would offer loans to students in qualifying fields. These loans could be forgiven if the student graduates in that field and stays in Missouri. Missouri businesses would gain by having more individuals with needed skills and incentives for these students to stay in this state after graduation. Missouri would be assured its investment would pay dividends and, hopefully, this will attract more industry that operates with highly skilled jobs. A three way partnership between Missouri businesses, the people of the state, and Missouri students will benefit all the partners.

While we've done much to improve access to adequate health care, there is still a lot room for improvement. Each of us in this room has access to affordable health insurance upon election to this body. Yet, we still have 175,000 uninsured children in this state and we should not let another session go by without making health insurance for children more accessible to parents. Surely if this U.S. Congress can pass legislation and provide money for this purpose, this legislature can find a way to help parents' efforts to insure their kids.

But health insurance in not just an issue affecting children, it affects others as well, including many owners of small businesses who struggle to find affordable health insurance for themselves, their families, and their employees. Let us look for want for these Missourians to hep themselves in this endeavor.

Our families today have new and more difficult challenges to face than they did in my grandfather's youth. The necessity of making ends meet often means that children will be placed with others for their care. Parents have a right to know if they wish to inquire about criminal backgrounds of individuals providing care for their children. They should not have to wait to find out because of injury or death to their own child. Similarly, individuals being cared for in their homes ought to have a right to know about individuals who have a history of taking advantage of those who they are serving. And we are not going to allow teachers who have seriously hurt someone to remain in our children's classrooms.

In my grandfather's home, if you wanted something, the surest way to achieve it was to work for it. That concept, in my mind, also hasn't changed, whether it is an individual or a group, like ourselves, striving for the goal. We have already made progress for this session.

The Joint Interim Committee on Desegregation has done yeoman's work sorting through one of the most difficult issues of our time. Whether you agree with the recommendations or not, everyone should acknowledge their hard work and the fact that the legislature has made a step toward addressing this issue. Similarly, the interim committees on deregulation of utilities, transportation and others have helped sort through issues to give us a head start this session.

This session each and every issue will demand our attention, challenging us to weigh the pros and the cons as we seek to decide if it is in the best interest of the people of Missouri. Our work is cut out for us, as it is every legislative session. It seems as though the needs are ever more pressing, the necessity for our action ever more important.

The turn of the century fast approaches and the decisions we make today will usher in not only a new century, but a new millennium. I am heartened by what we have accomplished in four short years. I believe we can continue that constructive work during this legislative session.

As we busy ourselves with the work of making the laws that will govern the people of the state, it is often easy to forget the ideals that were established by our forefathers as the foundation of our daily work. Those ideals were not based on partisan politics. They were the ideals we agreed to support as a nation, as a people united under common ideals for liberty, justice, and freedom.

We agreed that all people would be equal before the law. We agreed that the people would vest the government with their collective power. We agreed that individual rights should be balanced with the protection of the welfare of the general public.

These principles have been a compelling force through out the course of our history.

They have been inspiration for millions of humans both here and abroad. The fundamental truths they represent beg us to remember them as we continue the work for the next four and a half months.

We have the tendency to think of our daily work, and the political negotiations that encompass it, as a fight between competing opinions. We fail to remember that it is a process by which we strive towards the principles on which our nation was founded. None of us have all the answers. But there must be a common belief that underlies our disagreements -- a belief that we are all involved in our work for the common good.

We are succeeding generations of legislative leaders in Missouri who professed through an oath to the people that they would work together to uphold the truths this state and our nation are founded on. Despite the changes in issues over the years, this commitment has not changed.

Today, let us renew our commitment to work together for the good of the people of this state. We have many challenges ahead, most based upon change. But never changing is our hope to help fulfill the desires of our families, to improve their lives, to help them grow up safe and healthy so they can have a chance to fulfill their dreams. Let us work to provide opportunity, so others have the opportunity to fulfill their dreams.

As Secretary Madeleine Albright said a few months ago: "The path ahead is difficult, but so was the journey already made." We have proven we can accomplish great things for the people of our state. We can and we must continue.

Thank you.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the following resolution:

Senate Resolution No. 956

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the Second Regular Session of the Eighty-ninth General Assembly is duly convened and is now in session and ready for consideration of business.

INTRODUCTION OF HOUSE JOINT RESOLUTIONs

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 26, introduced by Representative Hosmer, relating to education.

HJR 28, introduced by Representative Scheve, relating to bingo.

HJR 29, introduced by Representative Treadway, relating to the bill of rights.

HJR 30, introduced by Representative Smith, relating to property exempt from taxation.

HJR 31, introduced by Representative Graham (24), relating to compensation of state elected officials.

HJR 32, introduced by Representatives Days, Leake and Cooper, relating to the issuance of bonds for water pollution control.

HJR 33, introduced by Representative Kreider, relating to education.

HJR 34, introduced by Representative Backer, et al, relating to certain state departments.

HJR 35, introduced by Representative Parker, relating to the right to keep and bear arms.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 892, introduced by Representative Boucher, relating to school districts.

HB 893, introduced by Representative Backer, relating to reports filed with the ethics commission.

HB 894, introduced by Representative Cooper, relating to certain school district construction.

HB 895, introduced by Representative Cooper, relating to teachers' licenses.

HB 896, introduced by Representative Cooper, relating to common sewer district liens.

HB 897, introduced by Representative Cooper, relating to motor vehicles.

HB 898, introduced by Representative Heckemeyer, relating to certain state property.

HB 900, introduced by Representatives Relford and Smith, relating to the expungement of arrest records.

HB 901, introduced by Representative Relford, relating to coroners and inquests.

HB 902, introduced by Representatives Relford and Scheve, et al, relating to motor vehicle license plates.

HB 903, introduced by Representative Hosmer, relating to marriage solemnization.

HB 904, introduced by Representative Hosmer, relating to bad checks.

HB 905, introduced by Representative Hosmer, relating to the department of corrections.

HB 906, introduced by Representative Hosmer, relating to certain institutions of higher education.

HB 907, introduced by Representative Hosmer, relating to the rights and obligations of innkeepers and guests.

HB 908, introduced by Representative Luetkenhaus, relating to hunting licenses.

HB 909, introduced by Representative Hollingsworth, relating to state emblems.

HB 910, introduced by Representative Bonner, relating to income taxation.

HB 911, introduced by Representative Bonner, relating to property taxation.

HB 912, introduced by Representative Bonner, relating to motor vehicles.

HB 913, introduced by Representative Bonner, et al, relating to child molestation in the first degree.

HB 914, introduced by Representative Bonner, relating to drivers licenses.

HB 915, introduced by Representative Bonner, relating to trailers.

HB 916, introduced by Representatives Gross, Luetkenhaus and Graham, et al, relating to property taxation.

HB 917, introduced by Representative Gross, relating to property assessment.

HB 918, introduced by Representatives Gross and Barry, relating to the regulation of the sale of bedding.

HB 919, introduced by Representatives Ross and Thomason (163), relating to motor vehicles.

HB 920, introduced by Representative Ross, relating to motor vehicles.

HB 921, introduced by Representative Lawson, relating to motor vehicles.

HB 922, introduced by Representatives Gratz and Ransdall, relating to fences.

HB 923, introduced by Representatives Leake and Wiggins, et al, relating to defamation of agricultural producers.

HB 924, introduced by Representative McLuckie, et al, relating to financial institutions.

HB 925, introduced by Representative Johnson, relating to apprenticeship programs for certain public assistance recipients.

HB 926, introduced by Representative Hosmer, relating to certain licensed professionals who are in default on student loans.

HB 927, introduced by Representative Hosmer, et al, relating to certain political activities.

HB 928, introduced by Representatives Hosmer and Kreider, relating to the protection of certain children.

HB 929, introduced by Representative Ransdall, relating to license plates.

HB 930, introduced by Representative Ransdall, relating to motor vehicles.

HB 931, introduced by Representative Carter, relating to the disposition of evidence.

HB 932, introduced by Representative Carter, relating to insurance coverage.

HB 933, introduced by Representative Ross, relating to motor vehicle license plates.

HB 934, introduced by Representative Seigfreid, relating to the filing of real estate and personal property transfers.

HB 935, introduced by Representative Schwab, et al, relating to jury costs in civil cases.

HB 936, introduced by Representative Ross, relating to child support.

HB 937, introduced by Representative Chrismer, et al, relating to abortion.

HB 938, introduced by Representatives Chrismer and Ross, et al, relating to veterans' cemeteries.

HB 939, introduced by Representative Backer, relating to emergency management agency.

HB 940, introduced by Representative Scheve, relating to motor vehicle safety inspection requirements.

HB 941, introduced by Representative Scheve, relating to gaming funds.

HB 942, introduced by Representative Long, relating to tourism sales taxation.

HB 943, introduced by Representative Long, relating to certain expenditures of public funds.

HB 944, introduced by Representative Long, relating to certain actions against county clerks for their criminal actions.

HB 945, introduced by Representative Long, relating to judicial circuits.

HB 946, introduced by Representative Long, relating to county government.

HB 947, introduced by Representative Long, relating to confidential records.

HB 948, introduced by Representative Long, relating to the name of certain highways.

HB 949, introduced by Representative Gross, et al, relating to taxation.

HB 950, introduced by Representative Leak, et al, relating to agriculture.

HB 951, introduced by Representatives Barry and Hollingsworth, relating to regulation of certain medical personnel.

HB 952, introduced by Representative Troupe, et al, relating to health insurance coverage for contraceptives.

HB 953, introduced by Representative Lograsso, et al, relating to motor vehicles.

HB 954, introduced by Representatives Lograsso and Ross, relating to the public school retirement system.

HB 955, introduced by Representatives Lograsso and Ross, relating to school finances.

HB 956, introduced by Representative Thomason (163), relating to school funds.

HB 957, introduced by Representatives Thomason (163) and Kreider, relating to wholesalers and brewers of beer.

HB 958, introduced by Representative Liese, relating to life insurance marketing illustrations.

HB 959, introduced by Representative Bonner, relating to seven-director school districts.

HB 960, introduced by Representative Bonner, relating to suppliers of methamphetamine ingredients.

HB 961, introduced by Representative Bonner, relating to offenders in the custody of the department of corrections.

HB 962, introduced by Representative Backer, relating to the school term calendar.

HB 963, introduced by Representative Froelker, relating to restricting funding for assisted suicide.

HB 964, introduced by Representative Barry, et al, relating to the reimbursement for services of advanced practical nurses and registered first assistants.

HB 965, introduced by Representatives Smith and Barry, relating to operation of motor vehicles.

HB 966, introduced by Representative Smith, relating to the financing of health care and educational facilities.

HB 967, introduced by Representative Smith, relating to the financing of health care and educational facilities.

HB 968, introduced by Representative Barry, relating to certain teacher-training institutions.

HB 969, introduced by Representative Barry, relating to payment of health insurance claims.

HB 970, introduced by Representatives Smith, Farnen and Schwab, relating to certain agricultural transactions.

HB 971, introduced by Representative Smith, relating to juvenile court personnel.

HB 972, introduced by Representative Dougherty, relating to domestic relations.

HB 973, introduced by Representative Dougherty, relating to motor vehicles.

HB 974, introduced by Representative Dougherty, relating to the rights of certain adults.

HB 975, introduced by Representatives Marble and Elliott, et al, relating to state aid for school districts.

HB 976, introduced by Representative Bauer, relating to metropolitan school districts.

HB 977, introduced by Representative Bauer, relating to abatement of certain property.

HB 978, introduced by Representative Graham (24), relating to license plates.

HB 979, introduced by Representative Graham (24), relating to restitution.

HB 980, introduced by Representative Graham (24), relating to credit card cancellation.

HB 981, introduced by Representative Thomason (163), relating to funds for handicapped workers.

HB 982, introduced by Representative Froelker, relating to survivor benefits for certain school employee retirement systems.

HB 983, introduced by Representative Scheve, relating to the assessment of real property.

HB 984, introduced by Representative Smith, et al, relating to certain violations of criminal laws.

HB 985, introduced by Representative Backer, relating to reporting requirements.

HB 986, introduced by Representative Backer, relating to public records.

HB 987, introduced by Representative Richardson, relating to applications for marriage licenses.

HB 988, introduced by Representative Boucher, relating to utility provider billing procedures.

HB 989, introduced by Representative Graham (24), relating to recording telephone conversations.

HB 990, introduced by Representative Schilling, relating to grand jury proceedings.

HB 991, introduced by Representative Froelker, relating to the accounting of school moneys.

HB 992, introduced by Representative Hosmer, relating to watercraft regulations.

HB 993, introduced by Representative Bray, et al, relating to credit card fraud.

HB 994, introduced by Representatives Bray and Gunn, relating to the environmental equity and justice commission.

HB 995, introduced by Representative Bray, relating to motor vehicles.

HB 996, introduced by Representative Kennedy, relating to the practice of architecture.

HB 997, introduced by Representative Luetkenhaus, relating to physically disabled license plates and placards.

HB 998, introduced by Representative Kissell, et al, relating to a prohibition on the tattooing or body piercing of

a minor without the consent of parent or guardian.

HB 999, introduced by Representative Kissell, relating to holding persons without warrant.

HB 1000, introduced by Representative Kissell, relating to motor vehicle financial responsibility.

HB 1026, introduced by Representative Kissell, relating to motor vehicles.

HB 1027, introduced by Representative Kissell, relating to stealing.

HB 1028, introduced by Representative Kissell, relating to motor vehicles.

HB 1029, introduced by Representative Wooten, relating to motor vehicles.

HB 1030, introduced by Representatives Thomason (163) and Franklin, et al, relating to the official language of the state.

HB 1031, introduced by Representative Townley, et al, relating to motor vehicle financial responsibility.

HB 1032, introduced by Representative Townley, et al, relating to court costs and attorney's fees.

HB 1033, introduced by Representatives Franklin and Leake, relating to the Missouri local government employees' retirement system.

HB 1034, introduced by Representatives Skaggs and Campbell, relating to bail bond forfeitures.

HB 1035, introduced by Representative Dougherty, relating solely to the motor vehicle emissions inspection program and the sale of conventional gasoline.

HB 1036, introduced by Representative Hollingsworth, relating to statute of limitations.

HB 1037, introduced by Representative Leake, relating to certain farm and industrial equipment dealers and manufacturers.

HB 1038, introduced by Representatives Carter, Green and Hickey, relating to certain merchandising practices of utilities.

HB 1039, introduced by Representative Seigfreid, relating to foreign corporations.

HB 1040, introduced by Representative Hosmer, et al, relating to motor vehicles.

HB 1041, introduced by Representative Cierpiot, et al, relating to survivors' health insurance benefits for certain law enforcement officers or firefighters.

HB 1042, introduced by Representatives Gross and Thomason (163), relating to certain operations of government.

HB 1043, introduced by Representatives Gross and Thomason (163), relating to drivers' license numbers.

HB 1044, introduced by Representative Backer, relating to recovery of public assistance benefits from a decedent's estate .

HB 1045, introduced by Representative Backer, relating to the establishment of a board regulating the occupation of set-up contractor for the manufactured housing industry.

HB 1046, introduced by Representative O'Toole, relating to certain governmental records.

HB 1047, introduced by Representative Wooten, relating to property taxation.

HB 1048, introduced by Representative Wooten, relating to property taxation.

HB 1049, introduced by Representative Sheldon (104), relating to veterans' fishing privileges.

HB 1050, introduced by Representatives Ransdall and Davis (122), relating to methamphetamine suppliers.

HB 1051, introduced by Representative Thomason (163), et al, relating to the liability of certain law enforcement officers.

HB 1052, introduced by Representative Ford, relating to the workfare renovation project.

HB 1054, introduced by Representative Treadway, relating to motor vehicle license plates.

HB 1055, introduced by Representative Thomason (163), relating solely to franchises and other agreements between motorcycle dealers and motorcycle manufacturers.

HB 1056, introduced by Representative Relford, relating to jails.

HB 1057, introduced by Representative Relford, relating to municipal removal of weeds.

HB 1058, introduced by Representative Liese, relating to credit transactions.

HB 1059, introduced by Representative Liese, relating to credit transactions.

HB 1060, introduced by Representative Bray, relating to environmental protection.

HB 1061, introduced by Representative Gross, et al, relating to adult responsibility for children's acts.

HB 1062, introduced by Representative Gratz, relating to organized funeral processions.

HB 1063, introduced by Representative Auer, relating to merchandising practices by certain distributors of intoxicating liquor.

HB 1064, introduced by Representative Bauer, relating to teachers.

HB 1065, introduced by Representatives Smith and Campbell, relating to child custody and support.

HB 1066, introduced by Representative Clayton, relating to the uniform commercial code.

HB 1067, introduced by Representative Clayton, relating to the registration of certain offenders.

HB 1069, introduced by Representative Thomason (163), relating to special license plates for veterans.

HB 1070, introduced by Representative Barry, et al, relating to insurance coverage for mastectomy.

HB 1071, introduced by Representative Gaskill, et al, relating to marriage licenses.

HB 1072, introduced by Representative Gaskill, et al, relating to liquefied petroleum gases.

HB 1073, introduced by Representative Mays (50), relating to the state lottery.

HB 1074, introduced by Representatives Kreider and Barry, relating to tax credits for child care.

HB 1075, introduced by Representatives Kreider and Lawson, relating to livestock and crops.

HB 1076, introduced by Representative Kreider, relating to sales taxation.

HB 1077, introduced by Representatives Kreider and Smith (11), relating to illegal immigration.

HB 1078, introduced by Representative Reynolds, relating to tax credits for purchase of prescription drugs.

HB 1079, introduced by Representative Kissell, et al, relating to distribution of a controlled substance near a shopping mall.

HB 1080, introduced by Representative Auer, relating to commercial casualty insurance.

HB 1081, introduced by Representative Auer, relating to automatic external defibrillatory use by certain firefighters.

HB 1082, introduced by Representative Auer, relating to automobile insurance coverage of loaned vehicles.

HB 1083, introduced by Representatives Kreider and Legan, relating to building regulations in certain counties.

HB 1084, introduced by Representative Vogel, et al, relating to employment and educational opportunities for selective service registrants.

HB 1085, introduced by Representative Boucher, relating to transporting dogs.

HB 1086, introduced by Representative Boucher, relating to the vision specialist program.

HB 1087, introduced by Representative Boucher, relating to computer-aided reading.

HB 1088, introduced by Representative Boucher, relating to blind and visually impaired students.

HB 1089, introduced by Representative Stoll, relating to certain real estate transfers.

HB 1090, introduced by Representative Auer, relating to the department of insurance.

HB 1091, introduced by Representatives Rizzo, Hoppe, Thompson (37) and Cooper, relating to certain police officers.

HB 1092, introduced by Representative Rizzo, relating to physically disabled license plates and placards.

HB 1093, introduced by Representative Backer, et al, relating to an income tax credit to be funded by a tobacco settlement for child care service payments made to a child care facility.

HB 1094, introduced by Representative Treadway, relating to certain real estate agents and brokers.

HB 1095, introduced by Representatives Smith and Gaw, relating to governmental meetings and records.

HB 1096, introduced by Representative Troupe, et al, for the purpose of repealing the death penalty.

HB 1097, introduced by Representative Overschmidt, relating to public assistance benefits.

HB 1098, introduced by Representative Lakin, relating to tampering with public records.

HB 1099, introduced by Representative Naeger, et al, relating to stealing .

HB 1100, introduced by Representative Ostmann, et al, relating to orders for disposition or treatment of children in juvenile court.

HB 1101, introduced by Representative Ostmann, relating to testimony of a minor child in sexual abuse cases.

HB 1102, introduced by Representative Ostmann, et al, relating to the death penalty.

HB 1103, introduced by Representative May (108), relating to the construction of the durable power of attorney statutes.

HB 1104, introduced by Representative Treadway, relating to attainment of air quality standards.

HB 1105, introduced by Representative Naeger, relating to state emblems relating to the official state fruit.

HB 1106, introduced by Representatives Treadway and Evans, relating to nuisance property.

HB 1107, introduced by Representative May (108), relating to trusts and estates of decedents and persons under disability.

HB 1108, introduced by Representative Seigfreid, relating to the narcotic drug act.

HB 1109, introduced by Representatives Ross, Bartelsmeyer, Reinhart, Ostmann, Gross, Edwards, Robirds, Naeger, Froelker, Chrismer, Richardson, Gaskill, Ransdall, Johnson, Cierpiot, Berkstresser, Enz, Kelley (47), Bennett(15), Hartzler (124), Scott and Purgason, relating to sexual predators.

HB 1110, introduced by Representative Foster, et al, relating to school board elections.

HB 1111, introduced by Representatives Reinhart, Secrest and Ridgeway, et al, relating to forfeiture of retirement benefit by certain public officials.

HB 1112, introduced by Representative Backer, relating to regulating the operation of bicycles.

HB 1113, introduced by Representative DeMarce, relating to a county road tax in counties with a population between four thousand two hundred and six thousand five hundred.

HB 1114, introduced by Representative Edwards-Pavia, relating to unlawful use of firearms.

HB 1115, introduced by Representatives DeMarce and Farnen, relating to liens on property.

HB 1116, introduced by Representative DeMarce, relating to child custody.

HB 1117, introduced by Representatives Kreider and Luetkenhaus, et al, relating to sales taxation.

HB 1118, introduced by Representative Kreider, relating to the distribution of forfeiture proceeds.

HB 1119, introduced by Representative Hosmer, relating to school operations.

HB 1120, introduced by Representative Griesheimer, relating to prohibited acts by certain public officers.

HB 1121, introduced by Representative DeMarce, relating to dissolution of marriage.

HB 1122, introduced by Representative Schilling, relating to motor vehicles.

HB 1123, introduced by Representatives Schilling, Bray, Hosmer, Williams (121), Bartelsmeyer, Champion and Holland, relating to liquor control.

HB 1124, introduced by Representative Shear, relating to firearms regulation.

HB 1125, introduced by Representative Barry, et al, relating to surgical first assistants and registered nurse first assistants.

HB 1126, introduced by Representative Thomason (163), relating to digital signatures.

HB 1127, introduced by Representative Bray, relating to certain civil actions for discrimination.

HB 1128, introduced by Representative Bray, relating to certain rights and obligations of employers and employees regarding termination of employment.

HB 1129, introduced by Representative Bray, relating to human rights.

HB 1130, introduced by Representative Kissell, relating to Missouri prisoners being held out of state.

HB 1131, introduced by Representatives Thomason (163), Williams (159) and Heckemeyer, relating to the regulation of controlled substances.

HB 1132, introduced by Representative Loudon, relating to fraudulent practices on the Internet.

HB 1133, introduced by Representative Luetkenhaus, relating to workers' compensation insurance.

HB 1134, introduced by Representative Luetkenhaus, relating to publication of legal notices.

HB 1135, introduced by Representative Luetkenhaus, relating to state aid for schools.

HB 1136, introduced by Representative Stokan, relating to convalescent, nursing and boarding homes.

HB 1137, introduced by Representative Kissell, relating to discipline of law enforcement officers.

HB 1138, introduced by Representative Leake, relating to the percentage of ad valorem property tax collections to be deducted for deposit in the county assessment fund.

HB 1139, introduced by Representative Green, relating to construction contracts.

HB 1140, introduced by Representative Green, relating to Sunday sales of liquor.

HB 1141, introduced by Representatives Hollingsworth and Dougherty, relating to the uniform child custody jurisdiction act.

HB 1142, introduced by Representative Mays (50), et al, relating to taxation.

HB 1143, introduced by Representative Mays (50), et al, relating to wireless emergency telecommunications.

HB 1144, introduced by Representative Mays (50), relating to penalties for violation of public service commission orders.

HB 1145, introduced by Representatives Lakin and Luetkenhaus, relating to publication of legal notices.

HB 1146, introduced by Representative Gunn, relating to administrators of insurance policies.

HB 1147, introduced by Representatives Hosmer, Gaw and Clayton, et al, addressing the methamphetamine problem.

HB 1148, introduced by Representative Rizzo, relating to the petroleum storage tank insurance fund.

HB 1149, introduced by Representatives Campbell, Van Zandt and Bray, relating to taxation.

HB 1150, introduced by Representative Sheldon (104), relating to motor vehicle dealers.

HB 1151, introduced by Representative Backer, et al, relating to county budgets.

HB 1152, introduced by Representative Backer, relating to allowing a variance of up to eight percent in determining the equalized assessed valuation of property.

HB 1153, introduced by Representative Backer, relating to an income tax credit for dentists who provide dental services to persons eligible to receive Medicaid.

HB 1154, introduced by Representative Gibbons, relating to fraudulent workers' compensation claims.

HB 1155, introduced by Representative Gibbons, et al, relating to the corporate franchise tax.

HB 1156, introduced by Representative Johnson, et al, relating to the emancipation of a child.

HB 1157, introduced by Representatives McClelland and Hosmer, relating to the community service commission.

HB 1158, introduced by Representatives McClelland and Gibbons, relating to local parks.

HB 1159, introduced by Representative Stokan, relating to property taxation.

HB 1160, introduced by Representative Treadway, relating to certificates of authority required for the transaction of insurance business.

HB 1161, introduced by Representatives Wiggins and Relford, relating to public drinking water.

HB 1162, introduced by Representatives DeMarce, Summers and Farnen, et al, relating to the Jim Sears Leadership Scholarship.

HB 1163, introduced by Representative Parker, relating to the forty-second judicial circuit.

HB 1164, introduced by Representative Parker, relating to traffic regulations.

HB 1165, introduced by Representatives Ross and Gaston, et al, creating the Missouri national guard trust fund.

HB 1166, introduced by Representative Relford, et al, relating to criminal penalties for workers' compensation fraud.

HB 1167, introduced by Representative Relford, et al, relating to assaults in correctional institutions.

HB 1168, introduced by Representative Relford, et al, relating to public safety offenses.

HB 1169, introduced by Representative Hickey, relating to motor vehicles.

HB 1170, introduced by Representative Hickey, et al, relating to motor vehicles.

HB 1171, introduced by Representative Thomason (163), relating to motor vehicles.

HB 1172, introduced by Representative Klindt, relating to reporting on the distribution of desegregation funds.

HB 1173, introduced by Representative Champion, relating to certain contract provisions.

HB 1174, introduced by Representative Champion, relating to offenses against public order .

HB 1175, introduced by Representative Champion, relating to notification of eligibility for insurance rate reductions.

HB 1176, introduced by Representative Champion, relating to motor vehicles.

HB 1177, introduced by Representative Champion, relating to the department of revenue.

HB 1178, introduced by Representative Champion, relating to disclosures of certain fund-raising costs.

HB 1179, introduced by Representative Skaggs, relating to certificates of authority to transact insurance.

HB 1180, introduced by Representatives Smith and Campbell, relating to visitation rights.

HB 1181, introduced by Representative Smith, relating to election ballots.

HB 1182, introduced by Representative Chrismer, et al, relating to sales taxation.

HB 1183, introduced by Representative Chrismer, relating to pharmacies and pharmacists.

HB 1184, introduced by Representative Chrismer, relating to property assessment.

HB 1185, introduced by Representative Crump, relating to judgment of death.

WITHDRAWAL OF HOUSE BILLS

December 8, 1997

The Honorable Steve Gaw

Speaker of the House

Room 308, State Capitol

Jefferson City, Missouri 65101

Dear Steve:

This is to respectfully request that House Bill 899 be withdrawn.

Respectfully submitted,

/s/ Carol Stroker

December 18, 1997

Ms. Anne Walker, Chief Clerk

Missouri House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Ms. Walker:

I hereby request that House Joint Resolution 27 be withdrawn.

Respectfully submitted,

/s/ Rita D. Days

December 19, 1997

The Honorable Steve Gaw

Speaker

Missouri House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that House Bill 1068 be withdrawn.

Respectfully submitted,

/s/ Joan Barry

December 22, 1997

Speaker Steve Gaw

House Post Office

State Capitol

Jefferson City, MO 65101

Dear Steve:

Please be advised that as of this date I am withdrawing House Bill No. 1053. If you have any questions, please feel free to contact me.

Respectfully submitted,

/s/ Henry Rizzo

ADJOURNMENT

On motion of Representative Backer, the House adjourned until Thursday, January 8, 1998.

HOUSE CALENDAR

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 26

HJR 28 through HJR 35

HOUSE BILLS FOR SECOND READING

HB 892 through HB 898

HB 900 through 1000

HB 1026 through HB 1052

HB 1054 through HB 1067

HB 1069 through HB 1185

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, January 12, 1998, 9:00 am. Hearing Room 8. Dept. of Health budget presentation.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 13, 1998. Hearing room 8 upon morning adjournment. Dept. of Mental Health budget presentation.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 14, 1998. Hearing room 8 upon morning adjournment Public testimony. Dept. of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 15, 1998. Hearing room 8 upon morning adjournment. Public testimony. Dept. of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Friday, January 16, 1998, 10:00 am. Hearing room 8. Public testimony. Dept. of Health and Mental Health.

House Members
Bill Information
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General Information
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RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
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House Journal

Second Regular Session, 89th General Assembly

SECOND DAY, Thursday, January 8, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

O God, You are the Lord of the field and the farm, the cities and the cathedrals. You are the Lord of the rich and the poor. We come into this place gathered from all walks of life, here to attend to the needs and issues that affect lives around this state. Grant that this day might be well lived; grant that the work we do might be well done; grant that the time that we spend might be well-spent as we seek to serve better and more faithfully our various responsibilities.

As those within these walls come here, refreshed by time spent in the company of loved ones, keep their energy alive for the tedious tasks that must be done. Help them tackle the big stuff with courage, and the little stuff with patience. Renew in each person here the assurance of Your presence. And help us live in right relation to one another, speaking with respect and courtesy, acknowledging each other as Your child.

We pray especially for the family of Representative Bill Hand who passed away last evening. He has served this state well. Receive him into Your Kingdom and comfort those who mourn his passing. Hear our prayer, O Lord. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Anthony Carrol and Ryan Carrol.

The Journal of the first day was approved as printed.

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
Ostmann O'Toole Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wooten Mr. Speaker

NOES: 000

ABSENT WITH LEAVE: 010

Burton Copeland Hand Holand Kissell
McBride Ridgeway Shear Thompson 37 Wilson

VACANCY: 001

RESOLUTIONS

Representative Luetkenhaus offered House Resolution No. 6, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 7, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Bartelsmeyer and Miller offered House Resolution No. 8, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Troupe offered House Resolution No. 9 and House Resolution No. 10, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 11, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler offered House Resolution No. 12, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Steen offered House Resolution No. 13, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Scheve and Enz offered House Resolution No. 14 and House Resolution No. 15, which were referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTIONS

Representatives Elliott and DeMarce, et al, offered House Concurrent Resolution No. 6.

Representatives Green and Reynolds, et al, offered House Concurrent Resolution No. 7.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 26 and **HJR 28** through **HJR 35** were read the second time.

SECOND READING OF HOUSE BILLS

HB 892 through **HB 898**, **HB 900** through **HB 944**, **HB 946** through **HB 1000, HB 1026** through **HB 1052**, **HB 1054** through **HB 1067**, and **HB 1069** through **HB 1185** were read the second time.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 2**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1186, introduced by Representative Klindt, relating to drug trafficking.

HB 1187, introduced by Representative Liese, relating to gambling.

HB 1188, introduced by Representative Liese, relating to certain liens on professional health care services.

HB 1189, introduced by Representative Liese, relating to credit transactions.

HB 1190, introduced by Representative Treadway, relating to landscape architects.

HB 1191, introduced by Representative Naeger, et al, relating to school funding.

HB 1192, introduced by Representatives O'Toole and May (108), relating to establishing the automobile theft prevention fund.

HB 1193, introduced by Representatives May (108) and O'Toole, et al, relating to motor vehicles driver's licenses.

HB 1194, introduced by Representative May (108), relating to propane tank installation.

HB 1195, introduced by Representatives May (108) and Monaco, et al, relating to sovereign immunity.

HB 1196, introduced by Representatives May (108) and Harlan, relating to employers' immunity from certain law suits pursuant to the workers' compensation law.

HB 1197, introduced by Representatives Gunn, Boucher and McClelland, relating to establishing the family development account program.

HB 1198, introduced by Representative Auer, relating to appointments of insurance agents.

HB 1199, introduced by Representative Treadway, relating to the crime of gambling.

HB 1200, introduced by Representative Bray, relating to teachers of the public schools.

HB 1201, introduced by Representatives Summers, DeMarce and Edwards-Pavia, et al, relating to the neighborhood assistance.

HB 1202, introduced by Representatives DeMarce, Summers and Edwards-Pavia, et al, relating to neighborhood assistance program tax credits.

HB 1203, introduced by Representative Reynolds, relating to property taxation.

HB 1204, introduced by Representative Reynolds, relating to state aid for school districts.

HB 1205, introduced by Representative Reynolds, relating to county assessment of real property.

HB 1206, introduced by Representative Liese, relating to property assessments.

HB 1207, introduced by Representative Hendrickson, relating to motor vehicles.

HB 1208, introduced by Representative Hendrickson, relating to covenants not to compete.

HB 1209, introduced by Representative Hendrickson, relating to security deposits.

HB 1210, introduced by Representative Backer, relating to certificate of need.

HB 1211, introduced by Representative Long, et al, relating to judicial circuits.

HB 1212, introduced by Representatives Bonner and Cierpiot, et al, relating to nepotism.

HB 1213, introduced by Representative Foley, et al, relating to physician assistants.

HB 1214, introduced by Representative Hoppe, relating to intoxicating liquor wholesalers' and retailers' delivery practices.

HB 1215, introduced by Representative Monaco, relating to term limits for federal officers.

HB 1216, introduced by Representative Monaco, relating to reinstatement of corporations.

HB 1217, introduced by Representatives Hartzler (123) and Fritts, relating to election authorities.

HB 1218, introduced by Representative Patek, relating to motor vehicles.

HB 1219, introduced by Representative Patek, relating to the restriction of particulate matter to the ambient air beyond the premises of origin.

HB 1220, introduced by Representative Broach, et al, relating to property taxation.

HB 1221, introduced by Representative Broach, et al, relating to after-market automobile parts.

HB 1222, introduced by Representatives Shields, Hegeman, Kelly (27) and Lawson, relating to the A+ schools program.

HB 1223, introduced by Representative Shields, relating to criminal procedure.

HB 1224, introduced by Representative Schwab, relating to motor vehicles.

HB 1225, introduced by Representative Smith, relating to the forty-fifth judicial circuit.

HB 1226, introduced by Representative May (108), relating to detention facilities in counties of the first and second classification.

HB 1227, introduced by Representatives May (108) and O' Toole, relating to school buses.

HB 1228, introduced by Representative May (108), relating to business organizations.

HB 1229, introduced by Representative Copeland, et al, relating to the state deferred compensation program.

HB 1230, introduced by Representative Dougherty, relating to lobbyists for protecting certain witnesses at legislative hearings.

HB 1231, introduced by Representative Dougherty, relating to the regulation certain child care providers.

HB 1232, introduced by Representative Dougherty, relating to public school personnel.

HB 1233, introduced by Representatives Dougherty and Wiggins, et al, relating to fuel conservation.

HB 1234, introduced by Representative Troupe, et al, relating to payments made to health care providers after the account is turned over to a collection entity.

HB 1235, introduced by Representative Luetkenhaus, relating to statute of limitations for paternity actions.

HB 1236, introduced by Representative Luetkenhaus, relating to sales taxation.

HB 1237, introduced by Representative Luetkenhaus, relating to workers' compensation.

HB 1238, introduced by Representative DeMarce, relating to trailer license plates.

HB 1239, introduced by Representative Parker, relating to victims of crime.

HB 1240, introduced by Representative Parker, relating to Missouri wine.

HB 1241, introduced by Representatives Hosmer and Kelly (27), relating to fire protection districts.

HB 1242, introduced by Representative Hosmer, relating to exemptions from county, town and farmers' property insurance laws.

HB 1243, introduced by Representative Heckemeyer, relating to solid waste management.

HB 1244, introduced by Representatives Riback Wilson, Bray and Bland, et al, relating to state income tax revenues from certain nonresidents.

HB 1245, introduced by Representatives Hartzler (124) and Summers, et al, relating to telephonic search warrants.

HB 1246, introduced by Representative Rizzo, relating to motor vehicles.

HB 1247, introduced by Representative DeMarce, relating to local matching funds for local record preservation grants.

HB 1248, introduced by Representative Bray, relating to sales taxation.

HB 1249, introduced by Representative Shields, relating to sales taxes.

HB 1250, introduced by Representative Froelker, relating to income taxation.

HB 1251, introduced by Representative Green, relating to the regulation of business opportunities.

HB 1252, introduced by Representative Marble, relating to public safety offenses.

HB 1253, introduced by Representatives Stoll and Crump, relating to motor fuel.

HB 1254, introduced by Representative Backer, et al, relating to homicide reports by law enforcement agencies.

WITHDRAWAL OF HOUSE BILL

January 8, 1998

The Honorable Steve Gaw, Speaker

The Missouri House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that House Bill No. 945 be withdrawn. Thank you for your consideration in this matter.

Respectfully submitted,

/s/ Beth Long

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, January 12, 1998.

HOUSE CALENDAR

THIRD DAY, MONDAY, JANUARY 12, 1998

HOUSE BILLS FOR SECOND READING

HB 1186 THROUGH HB 1254

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, January 12, 1998, 9:00 am. Hearing Room 8. Dept. of Health budget presentation.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 13, 1998. Hearing room 8 upon morning adjournment.

Dept. of Mental Health budget presentation.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 14, 1998. Hearing room 8 upon morning adjournment

Public testimony. Dept. of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 15, 1998. Hearing room 8 upon morning adjournment.

Public testimony. Dept. of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Friday, January 16, 1998, 10:00 am. Hearing room 8. Public testimony.

Dept. of Health and Mental Health.

House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives

RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
Frequently Requested Resources

Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

THIRD DAY, Monday, January 12, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Encourage one another and build one another up." (I Thess. 5:11)

It is good to be back for another year, another session and now that the pleasantries of the opening days are over we get more seriously into committee work and bill filing and re-writing.

Gracious God, it is with a profound sense of gratitude that we come before You today to serve in this chamber. Politics is by nature adversarial, but we ask You to help us build one another up, and encourage one another. Help us separate the idea from the person, and to give and take criticism as directed to the issue, and not the person. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Annie Allhoff and Steve Allhoff.

The Journal of the second day was approved as corrected by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

ABSENT WITH LEAVE: 10

Bland Copeland Daniel 42 Daniels 41 Edwards-Pavia

Hagan-Harrell Hall Hoppe Shear Thompson 37

VACANCY: 002

RESOLUTIONS

Representative Hartlzer (124) offered House Resolution No. 16, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 17, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Campbell offered House Resolution No. 18, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 19, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shields offered House Resolution No. 20, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1186 through **HB 1254** were read the second time.

ESCORT COMMITTEES

The following committee was appointed to escort the Chief Justice of the Supreme Court of the State of Missouri, The Honorable Duane Benton, to the dais in Joint Session at 10:15 a.m., Wednesday, January 14, 1998: Representatives May (108), Monaco, Hosmer, DeMarce, Smith, Thompson (72), Griesheimer, Lograsso, Gaston, and Ridgeway.

The following committee was appointed to escort the Governor, The Honorable Mel Carnahan, to the dais in Joint Session at 10:15 a.m., Wednesday, January 21, 1998: Representatives Relford, Ransdall, Hollingsworth, Days, Farnen, Davis (122), Wooten, Cooper, Barnett and Pryor.

COMMITTEE ASSIGNMENTS

ACCOUNTS, OPERATIONS, AND FINANCE-STANDING

Skaggs, Bill Chairman

Bray, Joan Vice Chairman

Days, Rita

DeMarce, Karl

Froelker, James V.

Gratz, William (Bill)

Kelley, Pat

McLuckie, Steve

Richardson, Mark L.

Ross, Carson

Sallee, Mary Lou

Secrest, Patricia K.

Surface, Chuck

Van Zandt, Tim

Wiggins, Gary

AGRI-BUSINESS-STANDING

Williams, Marilyn A. Chairman

Lawson, Maurice Vice Chairman

Ballard, Charles

Boatright, Matt

Davis, D.J.

DeMarce, Karl

Farnen, Ted

Gaston, Doug

Hilgeman, Bob

Hohulin, Martin (Bubs)

Howerton, Jim

Klindt, David

Legan, Kenneth

McBride, Jerry

Merideth III, Denny J.

Parker, Kelly

Schwab, David

Seigfreid, James

AGRICULTURE-STANDING

Leake, Sam Chairman

Wiggins, Gary Vice Chairman

Barnett, Rex

Clayton, Robert

Crump, Wayne F.

Fitzwater, Rodger

Fritts, Charlie

Graham, Jim

Gratz, William (Bill)

Hartzler, Vicky

Hegeman, Daniel J.

Koller, Don

Overschmidt, Francis S.

Patek, Jewell

Pryor, Charles R.

Ransdall, Bill L.

Relford, Randall H.

Robirds, Estel

Sallee, Mary Lou

Smith, Philip

Steen, Don

Summers, Don

Thomason, Larry

Townley, Merrill M.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY-STANDING

Lakin, Scott Chairman

Shear, Sue Vice Chairman

Bennett, Jon

Burton, Gary L.

Davis, D.J.

Days, Rita D.

Farnen, Ted

Fritts, Charlie

Graham, Chuck

Hagan-Harrell, Mary M.

Harlan, Tim

Hollingsworth, Katherine

Kauffman, Sandra D.

Klindt, David

Leake, Sam

Levin, David

Linton, William C.

Luetkenhaus, Bill

Marble, Gary

Mays, Carol Jean

Murphy, Jim

Ostmann, Cindy

Purgason, Chuck

Secrest, Patricia K.

Summers, Don

Williams, Deleta

APPROPRIATIONS - GENERAL ADMINISTRATION-STANDING

Green, Timothy P. Chairman

McLuckie, Steve Vice Chairman

Auer, Ron

Bray, Joan

Berkstresser, Judy

Broach, David W.

Cierpiot, Connie J.

Copeland, Gene

Gratz, William (Bill)

Gross, Charles

Hartzler, Ed

Legan, Kenneth

Liese, Chris

Monaco, Ralph A.

Pouche, Fred

Rizzo, Henry C.

Seigfreid, James

Shelton, O.L.

Vogel, Carl

Wannenmacher, Philip P.

Wooten, Chuck

APPROPRIATIONS - HEALTH AND MENTAL HEALTH-STANDING

Carter, Paula J. Chairman

Schilling, Mike Vice Chairman

Bland, Mary

Champion, Norma

Donovan, Laurie B.

Enz, Catherine S.

Gaston, Doug

Hohulin, Martin (Bubs)

Hoppe, Tom

Lawson, Maurice

Miller, Ronnie

Naeger, Patrick A.

O'Connor, Patrick

Patek, Jewel

Reynolds, David L.

Sallee, Mary Lou

Shields, Charles W.

Skaggs, Bill

Stroker, Carol

Thompson, Betty

Van Zandt, Tim

Wilson, Vicky Riback

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES-STANDING

Scheve, May Chairman

Heckemeyer, Joe Vice Chairman

Ballard, Charles

Barry, Joan

Bartelsmeyer, Linda

Boatright, Matt

Clayton, Robert

Cooper, Bonnie Sue

Daniel, Lloyd

Foster, Bill I.

Gaskill, Sam

Graham, Jim

Griesheimer, John E.

Hegeman, Daniel J.

Kennedy, Harry

Kissell, Don R.

McBride, Jerry E.

McClelland, Emmy L.

O'Toole, James P.

Relford, Randall H.

Steen, Don

Stoll, Steve

Thompson, Vernon

Townley, Merrill M.

Wiggins, Gary

Williams, Marilyn A.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS-STANDING

Troupe, Charles Quincy Chairman

Kelly, Glenda Vice Chairman

Bauer, Tom

Boucher, Bill

Campbell, Marsha

Chrismer, Rich

Crawford, Larry

Davis, Dorathea

Dougherty, Patrick

Evans, Brent

Foley, James Michael

Gibbons, Michael R.

Gunn, Russell

Hall, Glenn

Hartzler, Vicky

Hilgeman, Bob

Holland, Roy W.

Kasten, Mary C.

Kelley, Pat

Murray, Dana L.

Nordwald, Charles

Ransdall, Bill

Reinhart, Annie

Stokan, Lana

BANKS AND FINANCIAL INSTITUTIONS-STANDING

Copeland, Gene Chairman

Liese, Chris Vice Chairman

Backer, Gacia Y.

Broach, David W.

Burton, Gary L.

Carter, Paula J.

Cooper, Bonnie Sue

Elliott, T. Mark

Ford, Louis H.

Franklin, Richard

Fritts, Charlie

Graham, Jim

Green, Timothy P.

Hartzler, Ed

Hohulin, Martin (Bubs)

Howerton, Jim

Kennedy, Harry

Koller, Don

Long, Beth L.

Murphy, Jim

O'Connor, Patrick

Skaggs, Bill

Surface, Chuck

Treadway, Joseph L.

Troupe, Charles Quincy

Wannenmacher, Philip P.

Williams, Marilyn A.

BUDGET-STANDING

Franklin, Richard Chairman

Williams, Deleta Vice Chairman

Bray, Joan

Burton, Gary L.

Carter, Paula J.

Chrismer, Rich

Cooper, Bonnie Sue

Donovan, Laurie B.

Ford, Louis H.

Foster, Bill

Graham, Jim

Green, Timothy P.

Gunn, Russell

Heckemeyer, Joe

Hegeman, Daniel J.

Hohulin, Martin (Bubs)

Kasten, Mary C.

Kauffman, Sandra D.

Kelley, Pat

Kelly, Glenda

Lakin, Scott

Leake, Sam

Legan, Kenneth

Linton, William C.

McClelland, Emmy L.

McLuckie, Steve

Rizzo, Henry C.

Scheve, May

Schilling, Mike

Shear, Sue

Shelton, O.L.

Shields, Charles W.

Thompson, Vernon

Troupe, Charles Quincy

Van Zandt, Tim

Vogel, Carl

Wannenmacher, Philip P.

Wooten, Chuck

CHILDREN, YOUTH, AND FAMILIES-STANDING

Dougherty, Patrick Chairman

Wilson, Vicky Riback Vice Chairman

Boucher, Bill

Champion, Norma

Cierpiot, Connie J.

Days, Rita D.

DeMarce, Karl

Donovan, Laurie B.

Hall, Glenn

Hartzler, Vicky

Hollingsworth, Katherine

Kasten, Mary C.

Purgason, Chuck

Sallee, Mary Lou

Shear, Sue

Stroker, Carol

Thompson, Betty

CIVIL AND ADMINISTRATIVE LAW-STANDING

Smith, Philip Chairman

Monaco, Ralph A. Vice Chairman

Akin, W. Todd

Barry, Joan

Bauer, Tom

Chrismer, Rich

Davis, D.J.

Gibbons, Michael R.

Hendrickson, Carl

Hoppe, Thomas

Hosmer, Craig

Levin, David

Murray, Dana L.

Parker, Kelly

Patek, Jewell

Ridgeway, Luann

Townley, Merrill M.

COMMERCE-STANDING

Rizzo, Henry C. Chairman

Bonner, Dennis Vice Chairman

Boatright, Matt

Broach, David W.

Cooper, Bonnie Sue

Edwards-Pavia, Marilyn

Gaskill, Sam

Gratz, William (Bill)

Hoppe, Thomas

Kauffman, Sandra D.

Kelly, Glenda

Kennedy, Harry

Lakin, Scott

Marble, Gary

Mays, Carol Jean

Pouche, Fred

Pryor, Charles R.

Relford, Randall H.

Sallee, Mary Lou

Scheve, May

Seigfreid, James

Shelton, O.L

Thompson, Vernon

Vogel, Carl

CONSUMER PROTECTION-STANDING

McLuckie, Steve Chairman

Kissell, Don R. Vice Chairman

Alter, Bill

Berkstresser, Judy

Davis, D.J.

Donovan, Laurie B.

Dougherty, Patrick

Gaskill, Sam

Graham, Chuck

Harlan, Tim

Levin, David

Lograsso, Don

Ostmann, Cindy

Thompson, Vernon

Van Zandt, Tim

Vogel, Carl

Wiggins, Gary

CORRECTIONAL AND STATE INSTITUTIONS-STANDING

Crump, Wayne F. Chairman

Johnson, Mitchell E. "Rocky" Vice Chairman

Ballard, Charles

Cierpiot, Connie J.

Crawford, Larry

Dolan, Jon

Gratz, William (Bill)

Hosmer, Craig

Lawson, Maurice

Merideth III, Denny J.

Nordwald, Charles

Overschmidt, Francis S.

Parker, Kelly

Relford, Randall H.

Robirds, Estel

Townley, Merrill M.

CRIMINAL LAW-STANDING

Hosmer, Craig Chairman

Parker, Kelly Vice Chairman

Alter, Bill

Barnett, Rex

Campbell, Marsha

Clayton, Robert

Crawford, Larry

Daniels, Fletcher

Davis, Dorathea

Dolan, Jon

Fitzwater, Rodger

Gibbons, Michael R.

Hall, Glenn

Johnson, Mitchell E. (Rocky)

Lawson, Maurice

Loudon, John

Ridgeway, Luann

.

CRITICAL ISSUES-STANDING

Harlan, Tim Chairman

Kelly, Glenda Vice Chairman

Bland, Mary

Edwards-Pavia, Marilyn

Elliott, T. Mark

Fitzwater, Rodger

Foley, James Michael

Griesheimer, John E.

Gunn, Russell

Holand, Roy W.

Kelley, Pat

Lakin, Scott

Levin, David

McLuckie, Steve

Naeger, Patrick A.

Ostmann, Cindy

Reinhart, Annie

Shear, Sue

Smith, Philip

Steen, Don

Stokan, Lana

Townley, Merrill M.

Troupe, Charles Quincy

Williams, Deleta

EDUCATION - ELEMENTARY AND SECONDARY-STANDING

Stoll, Steve Chairman

Stroker, Carol Vice Chairman

Bartelsmeyer, Linda

Berkstresser, Judy

Cierpiot, Connie J.

Davis, D.J.

Days, Rita D.

Fitzwater, Rodger

Franklin, Richard

Hagan-Harrell, Mary M.

Hartzler, Vicky

Heckemeyer, Joe

Holand, Roy W.

Kelly, Glenda

Kreider, Jim

Lawson, Maurice

Levin, David

McClelland, Emmy L.

McLuckie, Steve

Miller, Ronnie

Patek, Jewell

Relford, Randall H.

Secrest, Patricia K.

Shields, Charles W.

EDUCATION - HIGHER-STANDING

Farnen, Ted Chairman

Campbell, Marsha Vice Chairman

Barnett, Rex

Bennett, Jon

Bland, Mary

Champion, Norma

Davis, Dorathea

Gross, Charles

Hagan-Harrell, Mary M.

Hilgeman, Bob

Hosmer, Craig

Kasten, Mary C.

Klindt, David

Linton, William C.

Relford, Randall

Sallee, Mary Lou

Scheve, May

Schilling, Mike

Secrest, Patricia K.

Shear, Sue

Shields, Charles W.

Summers, Don

Williams, Deleta

Wilson, Vicky Riback

ELECTIONS-STANDING

Days, Rita D. Chairman

Fitzwater, Rodger Vice-Chairman

Alter, Bill

Backer, Gracia Y.

Bartelsmeyer, Linda

Bauer, Tom

Enz, Catherine S.

Evans, Brent

Farnen, Ted

Hendrickson, Carl

Kauffman, Sandra D.

Long, Beth L.

Scheve, May

Shelton, O. L.

Seigfreid, James

ENVIRONMENT AND ENERGY-STANDING

Wiggins, Gary Chairman

Ransdall, Bill L. Vice-Chairman

Akin, W. Todd

Barry, Joan

Bray, Joan

Crawford, Larry

DeMarce, Karl

Dougherty, Patrick

Edwards-Pavia, Marilyn

Griesheimer, John E.

Gunn, Russell

Heckemeyer, Joe

Hilgeman, Bob

Holulin, Martin (Bubs)

Howerton, Jim

Klindt, David

Linton, William C.

Luetkenhaus, Bill

Marble, Gary

Ridgeway, Luann

Schilling, Mike

Secrest, Patricia

Stokan, Lana

Thompson, Betty

ETHICS-STANDING

Clayton, Robert Chairman

Days, Rita D. Vice Chairman

Alter, Bill

Chrismer, Rich

Harlan, Tim

Kasten, Mary C.

Lograsso, Don

May, Brian H.

Ostmann, Cindy

Shear, Sue

FEDERAL-STATE RELATIONS AND VETERANS AFFAIRS-STANDING

Boucher, Bill Chairman

Reynolds, David L. Vice Chairman

Dolan, Jon

Fitzwater, Rodger

Hartzler, Ed

Johnson, Mitchell E. (Rocky)

Merideth III, Denny J.

Pouche, Fred

Ransdall, Bill L.

Sheldon, Norman E.

Surface, Chuck

GOVERNMENTAL ORGANIZATION AND REVIEW-STANDING

Murray, Dana Chairman

Graham, Chuck Vice Chairman

Boatright, Matt

Cierpiot, Connie J.

Enz, Catherine S.

Hartzler, Ed

Hendrickson, Carl

Hickey, John

Hoppe, Thomas

Ransdall, Bill L.

Williams, Marilyn A.

INSURANCE-STANDING

Auer, Ron Chairman

Gunn, Russell Vice Chairman

Burton, Gary L.

Elliott, T. Mark

Green, Timothy P.

Hartzler, Ed

Liese, Chris

Linton, William C.

Luetkenhaus, Bill

Monaco, Ralph A.

Murphy, Jim

Reinhart, Annie

Sheldon, Norman E.

Surface, Chuck

Treadway, Joseph L.

JOINT COMMITTEE ON ADMINISTRATIVE RULES-STATUTORY

Kelly, Glenda Chairman

Clayton, Robert

Hall, Glenn

Ridgeway, Luann

Stoll, Steve

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS-STATUTORY

Ford, Louis H. Chairman

Carter, Paula J.

Cooper, Bonnie Sue

Kauffman, Sandra D.

JOINT COMMITTEE ON CORRECTIONAL INSTITUTIONS AND PROBLEMS-STATUTORY

Gratz, William (Bill) Chairman

Backer, Gracia Y.

Dolan, Jon

Graham, Jim

Marble, Gary

Shelton, O. L.

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY & PLANNING-STATUTORY

Liese, Chris Chairman

Bonner, Dennis

Gaston, Doug

Richardson, Mark L.

Wiggins, Gary

JOINT COMMITTEE ON GAMING AND WAGERING-STATUTORY

Scheve, May Chairman

Campbell, Marsha

Cooper, Bonnie Sue

Shelton, O. L.

Wannenmacher, Philip P.

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING-STATUTORY

Stokan, Lana Chairman

Bland, Mary

Naeger, Patrick A.

Shear, Sue

Shields, Charles W.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH-STATUTORY

Thomason, Larry Chairman

Akin, W. Todd

Clayton, Robert

Franklin, Richard

Legan, Kenneth

Relford, Randall H.

Scott, Delbert

Van Zandt, Tim

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT-STATUTORY

O'Toole, James P. Chairman

Bonner, Dennis

Cooper, Bonnie Sue

Elliott, T. Mark

Hagan-Harrell, Mary M.

Skaggs, Bill

Wooten, Chuck

JOINT COMMITTEE ON WETLANDS-STATUTORY

Williams, Deleta Chairman

Heckemeyer, Joe

Hegeman, Daniel J.

Richardson, Mark L.

Wiggins, Gary

JUDICIARY-STANDING

May, Brian H. Chairman

Harlan, Tim Vice Chairman

Carter, Paula J.

Clayton, Robert

Gaston, Doug

Gibbons, Michael

Hollingsworth, Katherine

Hosmer, Craig

Lograsso, Don

Monaco, Ralph A.

Parker, Kelly

Patek, Jewell

Pryor, Charles R.

Richardson, Mark L.

Ridgeway, Luann

Smith, Philip

Summers, Don

LABOR-STANDING

Hickey, John Chairman

Davis, Dorathea Vice Chairman

Auer, Ron

Ballard, Charles

Barnett, Rex

Bennett, Jon

Boatright, Matt

Bonner, Dennis

Foley, James Michael

Foster, Bill I.

Gaskill, Sam

Gaston, Doug

Green, Timothy P.

Holand, Roy W.

Johnson, Mitchell E. (Rocky)

Kennedy, Harry

Loudon, John

May, Brian H.

Murphy, Jim

Murray, Dana L.

O'Connor, Patrick

Reynolds, David L.

Secrest, Patricia K.

Stoll, Steve

LOCAL GOVERNMENT AND RELATED MATTERS-STANDING

Hoppe, Thomas Chairman

Reynolds, David L. Vice Chairman

Bartelsmeyer, Linda

Berkstresser, Judy

Copeland, Gene

Dolan, Jon

Edwards-Pavia, Marilyn

Foley, James Michael

Griesheimer, John E.

Lakin, Scott

Marble, Gary

Murray, Dana L.

Overschmidt, Francis S.

Rizzo, Henry C.

Robirds, Estel

Ross, Carson

Seigfreid, James

MISCELLANEOUS BILLS AND RESOLUTIONS-STANDING

Foley, James Michael Chairman

Barry, Joan Vice Chairman

Bennett, Jon

Davis, Dorathea

Froelker, James V.

Graham, Chuck

Gratz, William (Bill)

Hoppe, Thomas

Kissell, Don R.

Luetkenhaus, Bill

Murphy, Jim

Naeger, Patrick A.

Nordwald, Charles

Sallee, Mary Lou

MOTOR VEHICLE AND TRAFFIC REGULATIONS-STANDING

Thomason, Larry Chairman

Fritts, Charlie Vice Chairman

Backer, Gracia Y.

Barnett, Rex

Froelker, James V.

Johnson, Mitchell E. (Rocky)

Koller, Don

Legan, Kenneth

Nordwald, Charles

Pouche, Fred

Ross, Carson

Schwab, David

Sheldon, Norman E.

Treadway, Joseph L.

Williams, Marilyn A.

MUNICIPAL CORPORATIONS-STANDING

Shelton, O. L. Chairman

Kennedy, Harry Vice Chairman

Akin, W. Todd

Bauer, Tom

Carter, Paula J.

Donovan, Laurie B.

Dougherty, Patrick

Enz, Catherine S.

Evans, Brent

Gross, Charles

Gunn, Russell

Hendrickson, Carl

Levin, David

Loudon, John

May, Brian H.

McClelland, Emmy L.

O'Toole, James P.

Stroker, Carol

Troupe, Charles Quincy

PROFESSIONAL REGISTRATION & LICENSING-STANDING

Treadway, Joseph L. Chairman

O'Connor, Patrick Vice Chairman

Barry, Joan

Chrismer, Rich

Copeland, Gene

Dolan, Jon

Foley, James Michael

Hegeman, Daniel J.

Holand, Roy W.

Koller, Don

Loudon, John

McBride, Jerry E.

Nordwald, Charles

Pouche, Fred

Reynolds, David L.

Schwab, David

Stoll, Steve

PUBLIC HEALTH AND SAFETY-STANDING

Bland, Mary Chairman

Kissell, Don R. Vice Chairman

Barry, Joan

Boucher, Bill

DeMarce, Karl

Edwards-Pavia, Marilyn

Enz, Catherine S.

Evans, Brent

Ford, Louis H.

Hartzler, Vicky

Howerton, Jim

Kennedy, Harry

Merideth III, Denny J.

Miller, Ron

O'Connor, Patrick

Ross, Carson

Steen, Don

Stroker, Carol

RETIREMENT-STANDING

Hagan-Harrell, Mary M. Chairman

Davis, D. J. Vice Chairman

Auer, Ron

Elliott, T. Mark

Foster, Bill I.

Franklin, Richard

Hendrickson, Carl

O'Toole, James P.

Schwab, David

Skaggs, Bill

Wooten, Chuck

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED-STANDING

Backer, Gracia Y. Chairman

Crump, Wayne F. Vice Chairman

Days, Rita D.

Harlan, Tim

Hickey, John

Hohulin, Martin (Bubs)

Kelley, Pat

Kreider, Jim

Legan, Kenneth

Lograsso, Don

Long, Beth L.

May, Brian H.

McClelland, Emmy L.

Scheve, May

Shields, Charles W.

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY-STANDING

Gunn, Russell Chairman

Hollingsworth, Katherine Vice Chairman

Chrismer, Rich

Daniel, Lloyd

Fritts, Charlie

Hall, Glenn

Hilgeman, Bob

Holand, Roy W.

Kelley, Pat

McClelland, Emmy

Monaco, Ralph A.

Naeger, Patrick A.

Purgason, Chuck

Reinhart, Annie

Stokan, Lana

Williams, Deleta

Wilson, Vicky Riback

STATE PARKS, NATURAL RESOURCES & MINING-STANDING

McBride, Jerry E. Chairman

Murray, Dana Vice Chairman

Ballard, Charles

Bonner, Dennis

Crump, Wayne F.

Foster, Bill I.

Froelker, James V.

Johnson, Mitchell E. (Rocky)

Kissell, Don R.

Klindt, David

Long, Beth L.

Miller, Ronnie

Ostmann, Cindy

Overschmidt, Francis S.

Purgason, Chuck

Ransdall, Bill L.

Stoll, Steve

TOURISM, RECREATION AND CULTURAL AFFAIRS-STANDING

Overschmidt, Francis S. Chairman

Daniel, Lloyd Vice Chairman

Bartelsmeyer, Linda

Berkstresser, Judy

Bland, Mary

Champion, Norma

Crump, Wayne F.

Franklin, Richard

Graham, Chuck

Gross, Charles

Howerton, Jim

Koller, Don

Leake, Sam

Long, Beth L.

McBride, Jerry E.

Pryor, Charles R.

Robirds, Estel

Ross, Carson

Scott, Delbert

Stroker, Carol

Thompson, Betty

TRANSPORTATION-STANDING

Koller, Don Chairman

Bray, Joan Vice Chairman

Auer, Ron

Bennett, Jon

Bertstresser, Judy

Broach, David W.

DeMarce, Karl

Edwards-Pavia, Marilyn

Gaskill, Sam

Graham, Chuck

Griesheimer, John E.

Hollingsworth, Katherine

Kreider, Jim

Lakin, Scott

Leake, Sam

Mays, Carol Jean

Ostmann, Cindy

Patek, Jewell

Schwab, David

Scott, Delbert

Seigfreid, James

Thomason, Larry

Thompson, Vernon

Wannenmacher, Philip P.

URBAN AFFAIRS-STANDING

Thompson, Vernon Chairman

Van Zandt, Tim Vice Chairman

Campbell, Marsha

Cierpiot, Connie J.

Hall, Glenn

Hartzler, Ed

Lakin, Scott

Pouche, Fred

Reinhart, Annie

Rizzo, Henry C.

Skaggs, Bill

UTILITIES REGULATION-STANDING

Mays, Carol Jean Chairman

O'Toole, James P. Vice Chairman

Boucher, Bill

Burton, Gary L.

Crawford, Larry

Evans, Brent

Gross, Charles

Hegeman, Dan

Leake, Sam

Miller, Ronnie

Robirds, Estel

Sheldon, Norman E.

Smith, Philip

Thomason, Larry

Treadway, Joseph L.

WAYS AND MEANS-STANDING

Bray, Joan Chairman

Van Zandt, Tim Vice Chairman

Akin, W. Todd

Broach, David W.

Campbell, Marsha

Daniel, Lloyd

Froelker, James V.

Gaston, Doug

Gibbons, Michael R.

Hegeman, Daniel J.

Hilgeman, Bob

Hohulin, Martin (Bubs)

Kennedy, Harry

Lograsso, Don

Mays, Carol Jean

McBride, Jerry E.

Murray, Dana L.

Richardson, Mark L.

Schilling, Mike

Steen, Don

Stokan, Lana

Vogel, Carl

Wiggins, Gary

Wilson, Vicky Riback

WORKERS COMPENSATION AND EMPLOYMENT SECURITY-STANDING

Luetkenhaus, Bill Chairman

O'Connor, Patrick Vice Chairman

Bauer, Tom

Davis, Dorathea

Foster, Bill I.

Green, Timothy P.

Hagan-Harrell, Mary M.

Hickey, John

Loudon, John

May, Brian H.

Pryor, Charles R.

Purgason, Chuck

Reynolds, David L.

Robirds, Estel

Secrest, Patricia K.

Summers, Don

Wannenmacher, Philip P.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 3 - Agriculture

HCR 6 - Utilities Regulation

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 892 - Education - Elementary and Secondary

HB 893 - Elections

HB 894 - Labor

HB 895 - Education - Elementary and Secondary

HB 896 - Local Government and Related Matters

HB 897 - Motor Vehicle and Traffic Regulations

HB 898 - Criminal Law

HB 900 - Criminal Law

HB 901 - Local Government and Related Matters

HB 903 - Civil and Administrative Law

HB 904 - Criminal Law

HB 905 - Correctional and State Institutions

HB 906 - Education - Higher

HB 907 - Tourism, Recreation and Cultural Affairs

HB 908 - State Parks, Natural Resources and Mining

HB 909 - Tourism, Recreation and Cultural Affairs

HB 910 - Ways and Means

HB 911 - Ways and Means

HB 912 - Motor Vehicle and Traffic Regulations

HB 913 - Criminal Law

HB 914 - Motor Vehicle and Traffic Regulations

HB 915 - Motor Vehicle and Traffic Regulations

HB 916 - Ways and Means

HB 917 - Ways and Means

HB 918 - Public Health and Safety

HB 919 - Motor Vehicle and Traffic Regulations

HB 920 - Motor Vehicle and Traffic Regulations

HB 922 - Agriculture

HB 924 - Consumer Protection

HB 925 - Social Services, Medicaid and the Elderly

HB 926 - Education - Higher

HB 927 - Governmental Organization and Review

HB 928 - Education - Elementary and Secondary

HB 930 - Motor Vehicle and Traffic Regulations

HB 931 - Criminal Law

HB 932 - Insurance

HB 934 - Local Government and Related Matters

HB 935 - Judiciary

HB 936 - Children, Youth and Families

HB 938 - Federal-State Relations and Veterans Affairs

HB 940 - Motor Vehicle and Traffic Regulations

HB 941 - Education - Elementary and Secondary

HB 942 - Tourism, Recreation and Cultural Affairs

HB 943 - Elections

HB 944 - Local Government and Related Matters

HB 946 - Local Government and Related Matters

HB 947 - Judiciary

HB 948 - Transportation

HB 949 - Ways and Means

HB 950 - Agriculture

HB 951 - Professional Registration and Licensing

HB 952 - Insurance

HB 953 - Motor Vehicle and Traffic Regulations

HB 954 - Retirement

HB 955 - Education - Elementary and Secondary

HB 956 - Education - Elementary and Secondary

HB 957 - Local Government and Related Matters

HB 958 - Insurance

HB 959 - Education - Elementary and Secondary

HB 960 - Criminal Law

HB 961 - Correctional and State Institutions

HB 962 - Education - Elementary and Secondary

HB 963 - Critical Issues

HB 964 - Insurance

HB 965 - Motor Vehicle and Traffic Regulations

HB 968 - Education - Elementary and Secondary

HB 969 - Insurance

HB 970 - Agri-Business

HB 971 - Civil and Administrative Law

HB 972 - Children, Youth and Families

HB 973 - Motor Vehicle and Traffic Regulations

HB 974 - Children, Youth and Families

HB 975 - Education - Elementary and Secondary

HB 976 - Education - Elementary and Secondary

HB 977 - Municipal Corporations

HB 979 - Criminal Law

HB 980 - Consumer Protection

HB 981 - Critical Issues

HB 982 - Retirement

HB 984 - Criminal Law

HB 985 - Elections

HB 986 - Civil and Administrative Law

HB 987 - Civil and Administrative Law

HB 988 - Utility Regulation

HB 989 - Criminal Law

HB 990 - Judiciary

HB 991 - Education - Elementary and Secondary

HB 992 - Motor Vehicle and Traffic Regulations

HB 993 - Consumer Protection

HB 994 - Environment and Energy

HB 995 - Transportation

HB 996 - Professional Registration and Licensing

HB 997 - Motor Vehicle and Traffic Regulations

HB 998 - Public Health and Safety

HB 999 - Criminal Law

HB 1000 - Motor Vehicle and Traffic Regulations

HB 1026 - Motor Vehicle and Traffic Regulations

HB 1027 - Criminal Law

HB 1028 - Transportation

HB 1029 - Motor Vehicle and Traffic Regulations

HB 1030 - Critical Issues

HB 1031 - Motor Vehicle and Traffic Regulations

HB 1032 - Judiciary

HB 1033 - Retirement

HB 1034 - Professional Registration and Licensing

HB 1035 - Environment and Energy

HB 1036 - Civil and Administrative Law

HB 1037 - Agriculture

HB 1039 - Judiciary

HB 1040 - Criminal Law

HB 1041 - Retirement

HB 1042 - Judiciary

HB 1043 - Judiciary

HB 1044 - Civil and Administrative Law

HB 1045 - Professional Registration and Licensing

HB 1161 - Environment and Energy

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1255, introduced by Representative Loudon, relating to historic motor vehicle licesne plates.

HB 1256, introduced by Representative Kennedy and Reynolds, et al, relating to income taxation.

HB 1257, introduced by Representative Bland, Bray, Shear, Dougherty and Carter, et al, relating to certain health care benefits.

HB 1258, introduced by Representative Bland, relating to certain child care facilities.

HB 1259, introduced by Representative Green, relating to merchandising practices.

HB 1260, introduced by Representative Patek, relating to disposition of certain excursion gambling boat revenues.

HB 1261, introduced by Representative Dougherty and Boucher, relating to the establishment of caseload standards for certain employees of the department of social services.

HB 1262, introduced by Representative Dougherty, et al, relating to the rights of mothers who are breast feeding their infants.

HB 1263, introduced by Representative Kreider, Davis (122) and Relford, et al, relating to an income tax credit.

HB 1264, introduced by Representative Kreider and Champion, relating to motor vehicle license plates.

HB 1265, introduced by Representative Kreider, relating to school funds.

HB 1266, introduced by Representatives Kreider, Relford and Davis (122), relating to property taxation.

HB 1267, introduced by Representative Shields, relating to county boards' appointments.

HB 1268, introduced by Representative Seigfreid, relating to the cost of medical examinations of crime victims.

HB 1269, introduced by Representative Crump, relating to an interstate wildlife violators compact.

HB 1270, introduced by Representative Crump, relating to probation and parole officers.

HB 1271, introduced by Representative Hickey, relating to sales taxation.

HB 1272, introduced by Representatives Holand and Wooten, relating to school boards.

HB 1273, introduced by Representative Days, relating to elections.

HB 1274, introduced by Representatives Farnen and Sallee, et al, relating to the department of social services.

HB 1275, introduced by Representatives Scheve and McClelland, et al, relating to senior citizens, disabled veterans and disabled persons property tax relief.

HB 1276, introduced by Representative Backer, relating to claims against the state.

HB 1277, introduced by Representative Gunn, et al, relating to expungement of certain criminal records.

HB 1278, introduced by Representatives Gunn and Auer, et al, relating to investments of insurance companies.

HB 1279, introduced by Representative Gunn, et al, relating to sales and use taxation.

HB 1280, introduced by Representatives Dougherty, Donovan and Kasten, relating to motor vehicles.

HB 1281, introduced by Representative Parker, relating to quiet periods in schools.

HB 1282, introduced by Representative Parker, relating to motor vehicles.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has offered and adopted the following resolution.

SENATE RESOLUTION NO. 977

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives of the election of the following officer:

Doorkeeper.....Ken Holman

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted SCR 30.

SENATE CONCURRENT RESOLUTION NO. 30

WHEREAS, rural telecommunications customers have lesser toll-free calling scopes than do urban customers, and rural customers pay more on average in toll bills than do urban customers; and

WHEREAS, Community Optional Service (COS) was created to afford rural customers with toll-free calling scopes to lessen this disparity; and

WHEREAS, COS is of vital importance to rural customers, both in petitioning and target COS exchanges, which allows customers to reach friends, relatives, children, grandchildren, schools, medical providers, churches, and businesses on a toll-free basis; and

WHEREAS, in recent legislation enacted by the General Assembly, the intent was to foster competition as a substitute for regulation, where and when competition exists, and for the benefit of consumers in increased variety of service offerings, increased quality of service, and at lower prices. The legislation specifically retained the goals of universal service and parity of service between rural and urban areas. It was the intent of this legislation that rural customers not be harmed by increased competition; and

WHEREAS, recently the Public Service Commission (PSC) of the State of Missouri announced its decision to terminate COS by March 31, 1998; and

WHEREAS, the PSC failed to notify and give users of COS the opportunity to participate in this decision. The elimination of COS will be detrimental to rural customers and communities; and

WHEREAS, meaningful competition, and in some cases adequate facilities upon which increased competition can even be provided, is not yet present in the rural areas where COS is available, and is not expected to be available by March 31, 1998; and

WHEREAS, the PSC failed to protect rural customers by delaying the elimination of COS until it can be replaced by comparable or adequate substitutes for this vital service:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate of the Eighty-ninth General Assembly, the House of Representatives concurring therein, hereby direct the PSC to do the following:

1. Vacate the decision to eliminate COS by March 31, 1998.

2. Reopen the consideration of the decision as to whether to modify or eliminate COS.

3. Notify all affected members of the public, their local and state elected officials, and newspapers of general circulation, that the decision is being reconsidered, and announce local public hearings.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

January 12, 1998

The Honorable Steve Gaw, Speaker

Missouri House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Steve:

I would like to withdraw HB 1233.

Thank you.

Respectfully submitted,

/s/ Patrick Doughtery

The following members' presence were noted: Representatives Daniel (42) and Bland.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, January 13, 1998.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Second Day, Thursday, January 8, 1998, page 27, line 17, showing Representative Bill Hand absent with leave. The House was informed of his death on Thursday, January 8, 1998.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 13, 1998. Hearing room 8 upon morning adjournment.

Dept. of Mental Health budget presentation.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 14, 1998. Hearing room 8 upon morning adjournment

Public testimony. Dept. of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 15, 1998. Hearing room 8 upon morning adjournment.

Public testimony. Dept. of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Friday, January 16, 1998, 10:00 am. Hearing room 8. Public testimony.

Dept. of Health and Mental Health.

HOUSE CALENDAR

Fourth Day, Tuesday, January 13, 1998

HOUSE BILLS FOR SECOND READING

HB 1255 through HB 1282

Missouri House of Representatives

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Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

FOURTH DAY, Tuesday, January 13, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"Give us today our daily bread." (Matt. 6:11; Luke 11:11. The Lord's Prayer).

Each year, the media gives us a run-down of the significant events of the past year. That process reminds us of what happens in our lives, and in the family and the institutions to which we belong. One of the things that strikes me each year is that apart from some highly publicized news stories, I had forgotten about many of the events that happened the previous year.

Eternal God, Lord of each moment, God of history, help me translate that thought into prayer. Let me take each event in perspective, knowing that things which bother me most today will fade away into memory. Let my priorities be set by prayer and thoughtful reflective time in light of Your Wisdom and the advice that comes from trusted friends. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Skyler Charles McDonald and Sarah Leleah McDonald.

The Journal of the third day was approved as corrected by the following vote:

AYES: 158

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlesmeyer Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor Ostmann

O'Toole Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

ABSENT WITH LEAVE: 003

Copeland Shear Thompson 37

VACANCY: 002

RESOLUTIONS

Representative Farnen offered House Resolution No. 21, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Townley offered House Resolution No. 22, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ransdall offered House Resolution No. 23, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Hendrickson and Enz offered House Resolution No. 24, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 25 through House Resolution No. 27 which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray offered House Resolution No. 28, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1255 through **HB 1282** were read the second time.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 1**: Senators Caskey, House, Jacob, Maxwell, Schneider, Wiggins, Bentley, Ehlmann, Klarich and Sims.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 2**: Senators Clay, Curls, Goode, Howard, Lybyer, Mathewson, Flotron, Singleton, Westfall and Yeckel.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 36, introduced by Representative Chrismer, relating to taxation.

HJR 37, introduced by Representative Marble, relating to tenure of public officers.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1283, introduced by Representative Bennett (15), et al, relating to assisted suicide.

HB 1284, introduced by Representative Bennett (15), et al, relating to restraining orders for juveniles.

HB 1285, introduced by Representative Edwards-Pavia, relating to unlawful use of firearms.

HB 1286, introduced by Representative Schilling, et al, relating to liquor.

HB 1287, introduced by Representative Schilling, et al, relating to the death penalty.

HB 1288, introduced by Representative Schilling, et al, relating to murder.

HB 1289, introduced by Representative Seigfreid, relating to identity theft.

HB 1290, introduced by Representative O'Toole, relating to cable television service late-payment fees.

HB 1291, introduced by Representative May (108), relating to the official station of judges.

HB 1292, introduced by Representative Scheve, relating to bingo.

HB 1293, introduced by Representative Pouche, relating to boards of equalization in certain counties.

HB 1294, introduced by Representative Hartzler (124), et al, relating to the operation of motor vehicles.

HB 1295, introduced by Representative Marble, relating to certain retirement systems.

HB 1296, introduced by Representatives Sallee and Scott, et al, relating to reports of child abuse or neglect.

HB 1297, introduced by Representatives Levin, Harlan, Farnen and Pouche, et al, relating to income taxation.

HB 1298, introduced by Representative Stoll, relating to the practice of medicine and surgery.

HB 1299, introduced by Representative Skaggs, relating to the public school retirement system in certain school districts.

HB 1300, introduced by Representative Kennedy, et al, relating to motor vehicles.

HB 1301, introduced by Representative Campbell, relating to taxation.

HB 1302, introduced by Representatives Bland, Crump and McBride, relating to certain health care providers.

HB 1303, introduced by Representative Treadway, relating to professional land surveyors.

HB 1304, introduced by Representative Foley, relating to compensation of certain board members.

HB 1305, introduced by Representative Scheve, et al, relating to an income tax credit for property taxes paid on a homestead.

WITHDRAWAL OF HOUSE BILLS

January 13, 1998

The Honorable Steve Gaw

Speaker of the House

Room 308, State Capitol

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill No. 901** be withdrawn.

Respectfully submitted,

/s/ Randall Relford

January 13, 1998

Anne Walker

Chief Clerk

Missouri House of Representatives

This letter is to inform you that I have withdrawn **HB 1114** and replaced it with HB 1285. Thank you.

Respectfully submitted,

/s/ Marilyn Edwards-Pavia

January 13, 1998

The Honorable Steve Gaw

Speaker, Missouri House of Representatives

Third Floor, State Capitol Building

Jefferson City, Missouri 65101

Dear Mr. Speaker:

I respectfully request that you withdraw **HB 1137**.

Respectfully submitted,

/s/ Don R. Kissell

January 13, 1998

The Honorable Steve Gaw

Office of Speaker

Capitol Building

Jefferson City, MO 65101

Dear Speaker Gaw:

As sponsor of **House Bill 896**, I request it be withdrawn from consideration. Your assistance in this matter will be greatly appreciated.

Respectfully submitted,

/s/ Bonnie Sue Cooper

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday,

January 14, 1998.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Third Day, Monday, January 12, 1998, Pages 34 through 56, Committee Assignments, by deleting the name, "Hilgeman, Bob", and inserting in lieu thereof the following name: "Hilgemann, Bob".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 14, 1998, 2:00 pm. Hearing Rooms 1 and 2.

Executive session may follow.

To be considered - HCR 3

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 14, 1998, 12:00 pm. Hearing room 8. REVISED NOTICE

Public testimony. Dept. of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 15, 1998. Hearing room 8 upon morning adjournment.

Public testimony. Dept. of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Friday, January 16, 1998, 9:00 am. Hearing room 8. Public testimony.

Dept. of Health and Mental Health. REVISED NOTICE

BUDGET

Wednesday, January 14, 1998, 9:00 am. Hearing Room 9.

Presentation by Dept. of Revenue: Article X tax refunds.

EDUCATION - HIGHER

Wednesday, January 14, 1998, 3:00 pm. Hearing Room 9.

Brief organizational meeting.

INTERIM MENTAL HEALTH INSURANCE AVAILABILITY COMMITTEE

Friday, January 16, 1998, 10:00 am. Senate Committee Hearing Rooms 2 & 3.

JOINT COMMITTEE ON VETERANS AFFAIRS

Tuesday, January 27, 1998, 5:00 pm. Senate Lounge.

Liberty memorial presentation. Mavo Agenda

JOINT COMMITTEE ON WETLANDS

Wednesday, January 21, 1998, 8:30 am. Hearing room 1. Update from

agencies with wetlands interests and involvement. Executive session.

UTILITIES REGULATION

Thursday, January 15, 1998, 8:30 am. Hearing room 5.

To be considered - HCR 6

HOUSE CALENDAR

Fifth Day, Wednesday, January 14, 1998

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 36 and HJR 37

HOUSE BILLS FOR SECOND READING

House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives

RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
Frequently Requested Resources

Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

FIFTH DAY, Wednesday, January 14, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Gracious God, we are very mindful this morning of how dangerous winter weather can be. Here in Missouri we suffer the effects of minor inconveniences in travel. Help us remember those in our eastern states and our Canadian neighbors who are still shivering in houses without heat; who are struggling to find heat sources for food preparation; and who are becoming sick because of improper heating. These winter months can take their toll in profound ways. We remember too those of our neighbors in the southern states who have been beset by flood waters. Be present to all those who need Your intervention and bring them through these days.

In this House, O God, we seek to do the things that will help make better the lives of the people of Missouri. Be with Your people in this place, in all things great and small, so that small things become great, and great things become possible. And while these representatives are away from their homes and families, protect and keep their loved ones safe.

Give us now your spirit to guide and direct the proceedings of the day; blessed are You, O God of us all. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourth day was approved as printed.

RESOLUTIONS

Representative Bartelsmeyer offered House Resolution No. 29, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boatright offered House Resolution No. 30, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gross and Bennett offered House Resolution No. 31 through House Resolution No. 34, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wiggins offered House Resolution No. 35, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Barry offered House Resolution No. 36, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reynolds, et al, offered House Resolution No. 37, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 38.

Representative Overschmidt offered House Resolution No. 39, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crump offered House Resolution No. 40, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 41, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 42, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTIONS

Representatives Gross and Kreider offered House Concurrent Resolution No. 8.

Representatives Stoll, Crump and Sheldon (104) offered House Concurrent Resolution

No. 9.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 36 and **HJR 37** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1283 through **HB 1305** were read the second time.

COMMITTEE REPORT

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred House Resolution No. 3 through House Resolution No. 28, begs leave to report it has examined the same and recommends that they Do Pass.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Wilson, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present.

AYES: 030

Banks Bentley Caskey Childers Clay

Ehlmann Flotron Goode Graves House

Howard Jacob Johnson Kenney Kinder

Klarich Lybyer Mathewson Maxwell McKenna

Mueller Quick Rohrbach Russell Schneider

Sims Staples Westfall Wiggins Yeckel

NOES: 000

ABSENT: 002

DePasco Singleton

ABSENT WITH LEAVE: 002

Curls Scott

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present.

AYES: 151

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Berkstresser

Bland Boatright Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 009

Bennett Bonner Copeland Edwards-Pavia Graham 24

Loudon Ridgeway Shear Thompson 37

VACANCIES: 002

The Doorkeeper announced the approach of the Chief Justice of the Supreme Court, Honorable Duane Benton. The Chief Justice was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the assembly in the Joint Session.

STATE OF THE JUDICIARY ADDRESS

By

Chief Justice Duane Benton

January 14, 1998

Mr. Speaker, Mr. President, Members of the 89th General Assembly:

It is an honor today to discuss with you the state of the judiciary.

Over the years, I have worked with the General Assembly in a variety of roles. My first connection to state government was working as an intern in the House. Later, while in law school, I drafted legislation for members of the House. More recently, the Senate confirmed me to four different positions on boards and in the executive branch. I've been at hearings that seemed to last forever, and others that were over in seconds. I must say that we all look much better at 10:30 in the morning, early in the session, rather than at 10:30 at night at the end of session.

Over the years, I have learned to approach the legislature respectfully but directly; prepared but with common sense. In that spirit, my message to you today is straightforward. The judiciary in 1998 is working smarter than ever. We in the courts, though, need your support if we are to continue to provide the highest level of service, access and justice to the people of this state.

The judiciary is working smarter today than ever before. Facing increasing caseloads, the courts are efficiently serving Missourians. The judiciary is doing more and more with proportionately less and less.

The judicial branch is the smallest of the three branches of state government. We spend less than three-fourths of 1 percent of the total state budget. Though a separate, equal branch of government, the judiciary is smaller than 13 of the 15 departments in the executive branch. While our cost is small, our impact is great; we deliver services to all citizens of the state. Court employees work in all 114 counties and the City of St. Louis, in all 34 senate districts, and in almost all, if not all, of the 163 House districts.

1) We decide cases that affect citizens throughout this state, from traffic offenses and consumer-merchant disputes, to death penalty cases and multi-million dollar lawsuits.

2) We provide ways for people to resolve their disputes informally in small claims court, and for abused persons to get immediate protection from their abusers.

3) We do all this in a way that benefits both the people of this state as well as those who make the system work: quickly and for as little expense to the state as possible.

People sometimes think that courts impact mostly lawyers, yet almost one-half of the cases in Missouri courts ordinarily do not involve the lawyers hired by your constituents. Since 1983, leaving aside traffic and ordinance violations, total caseload in Missouri courts has increased over one-half; 58 percent to be precise. During that same 15 year period since 1983, the number of trial judges you provide by law grew by less than 2 percent - one new circuit judge and five new associate circuit judges.

As in the past, the judiciary will not recommend an increase in the number of judges. It is a tribute to our hardworking judges that we do not need to request new judgeships. Missouri judges not only work hard, they also - as judges for the whole state - are flexible enough to serve where needed. Each day, I sign orders temporarily sending judges to work in high-volume courts, often miles from their homes. I stand ready any time to discuss with you, individually or in committee, those laws that require judgeships in courts with smaller caseloads, rather than where they are most needed on a more permanent basis in the courts with heavier caseloads.

When we think of the judiciary, we tend to think only of the judges that serve the public. Judges, of course, are one cornerstone of the judicial system. However, they cannot do their work without the necessary staff. I am reminded of a joke I used to hear before I became a judge: "The Supreme Court is where the finest legal minds in Missouri gather - to serve as law clerks to the judges." Seriously, those of you who have been to court have seen that court clerks make the system work. Clerks perform essential functions in the judicial process - handling case filing, notifying those involved in cases, collecting and disbursing money, recording court action and proceedings, and managing juries. Just like judges, the number of clerks and other employees funded by the budget has barely increased in recent years, yet there have been dramatic increases in the number of cases handled by these employees due to increases in crime, drug use, juvenile delinquency, adult abuse, divorce, and all kinds of litigation.

While the number of clerks has remained about the same, child support collection responsibilities have grown even faster than the case filing rate, and now are a major part of the workload in many circuit courts. In fact, open child support cases have increased over 144 percent during the last ten years. The task is huge - court clerks collected 395 million dollars in child support payments during fiscal year 1997.

Due to the tremendous caseload growth and shifts in Missouri population, many local courts are doing much more with the same number of employees. The clerk shortage varies from court to court. Statewide it is severe. The Circuit Court Budget Committee - composed of judges from all over the state - has requested a total of 147 new clerks in the fiscal year 1999 budget. This number may sound shocking. Please keep it in perspective. There have been no - zero - additional court clerks appropriated for the last two years, so any increase will cover a three year period. The 1,703 court clerks all over Missouri are dedicated and hardworking, but they cannot indefinitely continue to keep pace with escalating workloads.

There is another way you can alleviate the clerk shortage. We must leverage their time and effort, taking advantage of technology to streamline filing, casefile handling, trial, appeal and disposition of cases. We in the

judiciary must continue to work smarter, but we need your help to do so.

Most of you are familiar with statewide court automation, which will automate the records and accounting of the judiciary statewide. Thank you for your vision and foresight in enacting the initial law in 1994 and renewing it last year. Carved in stone in the Rotunda of this building, it says, "Where there is no vision the people perish." You have shown admirable vision and leadership in automating Missouri's courts, just as you have recently automated this very chamber.

Even more recently, during the past two years, you passed legislation allowing automation of the judicial accounting systems. Before, judicial accounting was so convoluted that there was no dream of computerizing these systems. You may recall the diagram with all the lines going everywhere that Chief Justice Holstein showed you during his first State of the Judiciary speech. You have provided an efficient way to manage court records, to go hand-in-hand with the legal authority for computerization you previously passed.

We stand at the threshold of similar results in overall efficiency. The biggest changes from court automation are just beginning to happen. During the past few years, the clerks, attorneys, and judges on the Court Automation Committee have spent a great deal of time and effort to design a computer system that will meet the needs of Missourians for many years to come. We have moved deliberately, intentionally so, in order to avoid problems that have occurred with other computer systems - some costing two and three times as much as ours - that simply failed to work when installed. When the taxpayer's money and the judiciary's reputation are at stake, the system must work from the time installed.

I have news to announce today. **The new system is up and running as I speak. Montgomery County has implemented the new case management system, which operates on the underlying structure of hardware and software designed by the Court Automation Committee. The clerks and judge in Montgomery County like the reduced paperwork, and say they now can do their jobs better. For civil and probate cases, a manual "paper" system is now automated. Previously, court clerks manually created a file, a fee sheet and a docket sheet - then manually indexed and scheduled the case. In the new system, these are all automatically created.**

The case management software is next to be installed in Jackson County in Kansas City and Independence, and in the Eastern District Court of Appeals in St. Louis. Once the system works in a smaller rural court, large urban courts and an appellate court, the system is ready for any court in Missouri. By July 1, the system will be at the "ready to wear" point - that is, proven in small courts, large courts and appellate courts.

We now are at a critical turning point. **Under the original plans, installing the new system in all courts was scheduled to take several years, so that some courts would not have the system until the year 2004. Rather than wait years for many of your constituents to see the benefits of court automation, we can provide these benefits now, at a lower total cost to the state. The benefits are clear; in addition to the more efficient installation process I have described:**

1) We can provide law enforcement, social services agencies and other courts information about juvenile offenders in order to deal better with juvenile delinquency throughout the state, and implement the new juvenile justice system you enacted in 1995.

2) We can accommodate electronic filing in the courts - to speed case handling; to provide public access to court information; and to allow electronic storage and maintenance of tons of court filings, which is swallowing up all available storage space in some county courthouses.

3) We can build a jury management system that will reflect the population and permit more Missourians to participate as jurors.

4) We can make court records more accessible to more Missourians, easier and at lower cost.

These improvements do not come without cost. However, total costs will be reduced and service improved, if the automated systems are installed within a reasonable time frame.

The Governor has discussed these improvements with me and other representatives of the judiciary. He has expressed support for court automation and for the need to install the system statewide within a reasonable time, as opposed to piecemeal installation. I anticipate that the Governor's budget will properly accommodate these needs. I urge you to consider and support this budget item due to its great benefit to your constituents, the people of Missouri.

Though court automation is the most pressing challenge in the administration of justice, we in the judiciary are also "working smarter" on other issues. The Missouri Judicial Conference recently appointed a Task Force on Drug Courts. Drug courts are working in Jackson, Lafayette, Buchanan and Scott Counties and St. Louis City. Drug courts have been successful. Graduates have obtained the education and job training to make it in the world without drugs. The vast majority go on with their lives, do not re-offend, and have become productive members of society.

I thank Senators Caskey and Rohrbach, and Representatives May and Ross for serving on this multidiscipline task force, which also includes prosecutors, defense lawyers, educators, job training and drug treatment professionals, and others willing to discuss the structure and procedure of drug courts. Please use the Task Force on Drug Courts as a resource as you tackle the challenges of illegal drugs.

We in the judiciary are always willing to consider other ways to improve judicial operations. Last year, you seriously studied appointing circuit clerks rather than electing them. The circuit clerk has evolved to a highly responsible position that should be a professional manager of court business. In many ways, the circuit clerk should be similar to the positions of the Secretary of the Senate and the Chief Clerk of the House - professional positions here in the legislature. Professionalizing these positions in the judiciary is worthy of your consideration.

I appreciate the opportunity to address you today regarding the state of your judiciary. As Chief Justice, I look forward to working with you over the next two sessions. If you have any questions about court automation, the judicial budget, or any other issue affecting the administration of justice, please let me know. Together we can continue the Missouri tradition: a judiciary of the highest integrity, providing service, access and justice to all Missourians.

The Joint Session was dissolved by the Lieutenant Governor.

The Speaker resumed the Chair.

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 30 - Utilities Regulation

COMMITTEE REPORT

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred HCR 3, begs leave to report it has examined the same and recommends that it Do Pass.

HOUSE CONCURRENT RESOLUTION NO. 3

WHEREAS, section 137.021, RSMo, provides that on or before December thirty-first of each odd-numbered year, the state tax commission shall...promulgate by regulation and publish a value based on productive capability for each of the several grades of agricultural and horticultural land; and

WHEREAS, the state tax commission, in concordance with section 137.021, RSMo, did on November 14, 1997, propose a value for each of the several grades of agricultural and horticultural land for the 1999 and 2000 assessment years; and

WHEREAS, the members of the general assembly believe that the proposed agricultural land values are excessive; and

WHEREAS, section 137.021 provides that the general assembly, within the first sixty calendar days of the regular

session immediately following the promulgation of such regulation, by concurrent resolution, can disapprove the values contained in such regulation; and

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Eighty-Ninth General Assembly, the Senate concurring therein, hereby disapprove the regulation promulgated by the state tax commission pursuant to section 137.021, RSMo, establishing agricultural land values; and

BE IT FURTHER RESOLVED that we, the members of the Eighty-Ninth General Assembly, recommend that the state tax commission review the current procedure for determining and establishing agricultural land values.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 38, introduced by Representatives Linton and Lograsso, et al, relating to the state board of education.

HJR 39, introduced by Representative Scheve, relating to gaming.

HJR 40, introduced by Representative Hendrickson, relating to taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1306, introduced by Representative Hoppe, relating to the appointment of certain judicial personnel.

HB 1307, introduced by Representative Shields, relating to certain expenditures of public funds.

HB 1308, introduced by Representatives Barry and Hendrickson, et al, relating to peace officer residency requirements.

HB 1309, introduced by Representatives Clayton and Campbell, et al, relating to corporations.

HB 1310, introduced by Representative Green, relating to child custody and child support proceedings.

HB 1311, introduced by Representative Foley, et al, relating to physician assistants.

HB 1312, introduced by Representative Copeland, et al, relating to the licensing of acupuncturists.

HB 1313, introduced by Representative Thomason (163), relating to boll weevil eradication.

HB 1314, introduced by Representative Wiggins, et al, relating to the motor vehicle emissions inspection program and the sale of conventional gasoline.

HB 1315, introduced by Representative Dougherty, et al, relating to insurance coverage for cancer prevention.

HB 1316, introduced by Representatives Dougherty and Gunn, et al, relating to the use of genetic information and testing for insurance purposes.

HB 1317, introduced by Representatives Hosmer and Legan, et al, relating to motor vehicles.

HB 1318, introduced by Representative Linton, et al, relating to education.

HB 1319, introduced by Representative Linton, et al, relating to the powers of local school boards.

HB 1320, introduced by Representative Linton, et al, relating to public school programs.

HB 1321, introduced by Representative Linton, et al, relating to governmental records.

HB 1322, introduced by Representative Foley, et al, relating to the rights and responsibilities of contracting pharmacies and health maintenance organizations.

HB 1323, introduced by Representative Green, et al, relating to membership of credit unions.

HB 1324, introduced by Representatives Hartzler (123) and Boucher, et al, relating to income taxation.

HB 1325, introduced by Representatives Hartzler (123) and Boucher, et al, relating to the national guard member scholarship.

HB 1326, introduced by Representative Hartzler (123), relating to county budgets.

HR 1327, introduced by Representative Reynolds, relating to Medicaid pharmacy provider agreements.

HB 1328, introduced by Representative Clayton, relating to court reporters and stenographers.

HB 1329, introduced by Representative Green, et al, relating to the powers of the supervisor of liquor control.

HB 1330, introduced by Representative Auer, et al, relating to exemptions from motor fuel tax and special motor fuel tax.

HB 1331, introduced by Representatives Gibbons and Chrismer, et al, relating to sales taxation.

HB 1332, introduced by Representatives Shields, Kelly (27), Hegeman and Lawson, relating to Missouri Western State College.

HB 1333, introduced by Representative Marble, et al, relating to environmental audit privilege.

HB 1334, introduced by Representatives Lograsso and Berkstresser, et al, relating to individual income tax rates for Missouri residents.

HB 1335, introduced by Representative Alter, et al, relating to sexual predators.

HB 1336, introduced by Representatives Secrest and Hartzler (124), et al, relating to workers' compensation.

HB 1337, introduced by Representatives Reinhart and Kasten, et al, establishes the work first welfare reform act.

HB 1338, introduced by Representatives Champion and Scott, et al, relating to income tax rates.

HB 1339, introduced by Representatives Scott and Lograsso, et al, relating to income taxation.

HB 1340, introduced by Representatives Gross and Foster, et al, relating to income tax credits.

HB 1341, introduced by Representatives Richardson and Legan, relating to environmental protection.

HB 1342, introduced by Representatives Pryor and Summers, et al, relating to transportation department expenditures.

HB 1343, introduced by Representative Lograsso, et al, relating to the estate tax.

HB 1344, introduced by Representatives Lograsso and Froelker, et al, relating to an income tax credit for certain education expenses.

HB 1345, introduced by Representatives Pouche and Cierpiot, et al, relating to the employer reference immunity act.

HB 1346, introduced by Representatives Pryor and Secrest, et al, relating to wages.

HB 1347, introduced by Representatives Kelly (27), Shields, Lawson and Hegeman, relating to the A+ schools program.

HB 1348, introduced by Representatives Relford, Howerton and Seigfreid, et al , relating to a pork promotion assessment.

HB 1349, introduced by Representatives Marble and Sallee, et al, relating to motor vehicles.

HB 1350, introduced by Representative Howerton, et al, relating to violent crimes against women and children.

HB 1351, introduced by Representative Hosmer, relating to income taxation.

HB 1352, introduced by Representatives Rizzo and Hoppe, relating to penalties for violations of zoning statutes and ordinances.

HB 1353, introduced by Representatives Rizzo and Hoppe, relating to the sale of real estate affected by delinquent land tax liens.

HB 1354, introduced by Representatives Rizzo and Hoppe, relating to certain law enforcement agencies' reports.

HB 1355, introduced by Representatives Rizzo and Hoppe, relating to delinquent real estate taxes.

HB 1356, introduced by Representative Crump, relating to the school calendar.

HB 1357, introduced by Representatives Broach and Secrest, et al, relating to the schedule of controlled substances.

HB 1358, introduced by Representatives May (108) and Clayton, et al, relating to the registration of certain offenders.

HB 1359, introduced by Representatives May (108) and Luetkenhaus, et al, relating to the death penalty.

HB 1360, introduced by Representatives Stokan and Kelley (47), et al, creates a shared care program in the division of aging for the care of the elderly.

HB 1361, introduced by Representative Treadway, relating to the regulation and licensing of physical therapists and physical therapist assistants.

HB 1362, introduced by Representative Hendrickson, relating to state income tax.

HB 1363, introduced by Representative Farnen, et al, relating to certain institutions of higher education.

HB 1364, introduced by Representative Bartelsmeyer, relating to candidates for certain city offices.

HB 1365, introduced by Representative Bartelsmeyer, relating to use of automatic external defibrillators by first responders.

WITHDRAWAL OF HOUSE BILLS

January 13, 1998

The Honorable Steve Gaw, Speaker

House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that House Bill 917 be withdrawn for consideration. Thank you for your attention to this matter.

Respectfully submitted,

/s/ Chuck Gross

January 14, 1998

The Honorable Steve Gaw

308 Capitol Building

Jefferson City, MO 65101

Dear Speaker Gaw:

I respectfully withdraw House Bill 932 - relating to insurance coverage.

Respectfully submitted,

/s/ Paula J. Carter

January 14, 1998

The Honorable Steve Gaw, Speaker

The Missouri House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that House Bill 997 be withdrawn. Thank you for your consideration in this matter.

Respectfully submitted,

/s/ Bill Luetkenhaus

The following members' presence were noted: Loudon, Bonner and Bennett.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, January 15, 1998.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 15, 1998. Hearing Room 8 upon morning adjournment.

Public testimony. Dept. of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Friday, January 16, 1998, 9:00am. Hearing Room 8. Public testimony.

Dept. of Health and Mental Health. REVISED NOTICE

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 20, 1998, 8:00am. Hearing Rooms 1 and 2. Morning

hearing will end at 9:45am and will resume at 12:00pm.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 21, 1998, 8:00am. Hearing Rooms 1 and 2. Morning

hearing will end at 9:45am and will resume at 12:00pm.

ETHICS

Thursday, January 15, 1998. Side gallery upon adjournment. Caucus additions.

INSURANCE

Tuesday, January 20, 1998, 8:00am. Hearing Room 8.

To be considered - HB 958, HB 969, HB 964, HB 952

INTERIM MENTAL HEALTH INSURANCE AVAILABILITY COMMITTEE

Friday, January 16, 1998, 10:00am. Senate Committee Hearing Rooms 2 & 3.

JOINT COMMITTEE ON VETERANS AFFAIRS

Tuesday, January 27, 1998, 5:00pm. Senate Lounge.

Liberty memorial presentation. Mavo Agenda

JOINT COMMITTEE ON WETLANDS

Wednesday, January 21, 1998, 8:30am. Hearing Room 1. Update from agencies with wetlands interests and involvement. Executive session.

UTILITIES REGULATION

Thursday, January 15, 1998, 8:30am. Hearing Room 5. AMENDED NOTICE

To be considered - HCR 6, SCR 30

HOUSE CALENDAR

Fifth Day, Thursday, January 15, 1998

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 38 through HJR 40

HOUSE BILLS FOR SECOND READING

HB 1306 through HB 1365

HOUSE CONCURRENT RESOLUTION

HCR 3 - Leake, et al

COURTESY RESOLUTIONS

HR 3 - Kreider

HR 4 - Thomason

HR 5 - Ford

HR 6 - Luetkenhaus

HR 7 - Gaw

HR 8 - Bartelsmeyer

HR 9, and HR 10 - Troupe

HR 11 - Howerton

HR 12 - Hartzler

HR 13 - Steen

HR 14, and HR 15 - Scheve

HR 16 - Hartzler

HR 17 - Gaw

HR 18 - Campbell

HR 19 - Backer

HR 20 - Shields

HR 21 - Farnen

HR 22 - Townley

HR 23 - Ransdall

HR 24 - Hendrickson

HR 25, through HR 27 - Stoll

HR 28 - Murray

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House Journal

Second Regular Session, 89th General Assembly

SIXTH DAY, Thursday, January 15, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

It has always been our nature, O God of Creation, to turn to You in times of trouble. In this day and age when we find ourselves facing increasing national turmoil, increasingly angry young people who use violence as a common language; when we find ourselves doing battle both within the boundaries of our country and in foreign lands, we do indeed seek Your presence.

Come to us in our efforts to seek out the truth; come to us in our desires for justice and fair play; come to us in our deliberations and decisions. O God, only Your voice can guide our hearts and our minds in directions that will benefit humankind. Let us not think we alone can bring about the kinds of changes that are necessary to better the lives of those who have entrusted us with that responsibility.

As these representatives spend many hours in this place, give them strength, give them courage, and give them humility, that they may remember You who created us and all that surrounds us. May we ever live and act in accord with Your will, O God. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifth day was approved as printed by the following vote:

ROLL CALL VOTE NUMBER rc006.001

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

ABSENT WITH LEAVE: 5

Copeland Edwards-Pavia Hickey Shear Thompson 37

RESOLUTIONS

Representative Barry offered House Resolution No. 43, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Cooper, Fitzwater, and Ridgeway offered House Resolution No. 44, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Thomason (163) offered House Resolution No. 45, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Overschmidt offered House Resolution No. 46, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Barry offered House Resolution No. 47, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 48 and House Resolution 49, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ridgeway offered House Resolution No. 50, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Treadway offered House Resolution No. 51, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution No. 52, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution No. 3 through House Resolution No. 28 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution No. 3 through House Resolution No. 28 were adopted.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 38 through **HJR 40** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1306 through **HB 1365** were read the second time.

COMMITTEE REPORTS

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HCR 6**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE CONCURRENT RESOLUTION NO. 6

WHEREAS, rural telecommunications customers have lesser toll-free calling scopes than do urban customers, and rural customers pay more on average in toll bills than do urban customers; and

WHEREAS, Community Optional Service (COS) was created to afford rural customers with toll-free calling scopes to lessen this disparity; and

WHEREAS, COS is of vital importance to rural customers, both in petitioning and target COS exchanges, which allows customers to reach friends, relatives, children, grandchildren, schools, medical providers, churches, and businesses on a toll-free basis; and

WHEREAS, in recent legislation enacted by the General Assembly, the intent was to foster competition as a substitute for regulation, where and when competition exists, and for the benefit of consumers in increased variety of service offerings, increased quality of service, and at lower prices. The legislation specifically retained the goals of universal service and parity of service between rural and urban areas. It was the intent of this legislation that rural customers not be harmed by increased competition; and

WHEREAS, recently the Public Service Commission (PSC) of the State of Missouri announced its decision to terminate COS by March 31, 1998; and

WHEREAS, the PSC failed to notify and give users of COS the opportunity to participate in this decision. The elimination of COS will be detrimental to rural customers and communities; and

WHEREAS, meaningful competition, and in some cases adequate facilities upon which increased competition can even be provided, is not yet present in the rural areas where COS is available, and is not expected to be available by March 31, 1998; and

WHEREAS, the PSC failed to protect rural customers by delaying the elimination of COS until it can be replaced by comparable or adequate substitutes for this vital service:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Eighty-ninth General Assembly, the Senate concurring therein, hereby direct the PSC to do the following:

1. Vacate the decision to eliminate COS by March 31, 1998.

2. Reopen the consideration of the decision as to whether to modify or eliminate COS.

3. Notify all affected members of the public, their local and state elected officials, and newspapers of general circulation, that the decision is being reconsidered, and announce local public hearings.

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **SCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred **Additions to the Freshman Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.470(2)(c)d.**

December 22, 1997

The Honorable Robert M. Clayton III, Chairman

House Ethics Committee

State Capitol Building

Rm. 114A

Jefferson City, MO 65101

Dear Representative Clayton:

Please add Representative David Klindt's name to the list of members of the Freshmen Caucus of the Missouri House of Representatives. His signature is enclosed herein.

Thank you for your attention to this matter.

Sincerely,

/s/ Randall Relford

Sixth District

/s/ Klindt, David

District 3

September 8, 1997

The Honorable Robert M. Clayton III, Chairman

House Ethics Committee

State Capitol Building

Rm. 114A

Jefferson City, MO 65101

Dear Representative Clayton:

Please add Representative Betty Thompson and Representative Robert Hilgemann's names to the list of members of the Freshman Caucus of the Missouri House of Representatives. Their signatures are enclosed herein.

Thank you for your attention to this matter.

Sincerely

/s/ Randall Relford

Sixth District

/s/ Hilgemann, Robert

District 64

/s/ Thompson, Betty

District 72

Mr. Speaker: Your Committee on Ethics, to which was referred **Addition to House Democratic Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.470(2)(c)d.**

DATE: January 8, 1998

TO: Representative Robert Clayton

Chairman, House Committee on Ethics

FROM: Representative Dana L. Murray

Majority Caucus Secretary

RE: Addendum to House Democratic Caucus

In accordance with Section 105.470(6)4(2) and C d RSMo 1991, we would like to add the following members of the General Assembly as members of the Missouri House Democratic Caucus:

District Name

64 /s/ Robert Hilgemann

72 /s/ Betty L. Thompson

Mr. Speaker: Your Committee on Ethics, to which was referred **Addition to Women's Legislative Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.470(2)(c)d.**

The Honorable Robert Clayton

Chairman of The Ethics Committee

Missouri House of Representatives

State Capitol, Room 114A

Jefferson City, Missouri 65101

Dear Representative Clayton,

I, Representative Betty L. Thompson of the 72nd Legislative District, respectfully request to join *The Women's Legislative Caucus.*

Thank you for your consideration.

Respectfully submitted,

/s/ Betty L. Thompson

72nd Legislative District

/s/ Deleta Williams - Chairperson

District 121

COMMITTEE CHANGES

The Speaker submitted the following Committee Changes:

Representative Fitzwater is no longer Vice Chair of the Elections Committee.

Representative Seigfreid has been appointed Vice Chair of the Elections Committee.

Representative Stroker has been appointed Vice Chair of the Education - Elementary and Secondary Committee.

Representative Relford has been appointed Vice Chair of the State Parks, Natural Resources and Mining Committee.

Representative Gross has been appointed a member of the Budget Committee.

Representative Barnett (4) has been appointed a member of the Appropriations - Health and Mental Health Committee.

Representative Donovan is no longer a member of the Budget Committee.

Representative Murray is no longer a member of the State Parks, Natural Resources and Mining Committee.

Representative McBride has been appointed a member of the Agri-Business Committee.

Representative Hoppe has been appointed a member to the Appropriations - Health and Mental Health Standing Committee.

Representative Lakin is no longer a member of the Missouri Health Facilities Review Committee.

Representative Foley has been appointed a member of the Missouri Health Facilities Review Committee.

Representative Hagan-Harrell has been appointed a member of the Governor's Public Safety Retireement Advisory Commission.

Representative Shear is no longer the Chair, but still a member of Joint Committee on Health Care Policy and Planning - Statutory.

***** Insert Document name: intro *******

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1366, introduced by Representative DeMarce, relating to county assistance in enforcement of child support.

HB 1367, introduced by Representatives Barnett (4), Summers and Pryor, et al, relating to the department of transportation.

HB 1368, introduced by Representative Barnett (4), relating to jurors.

HB 1369, introduced by Representative Smith, relating to removal costs for oil spills.

HB 1370, introduced by Representative Smith, et al, relating to criminal proceedings involving mental illness.

HB 1371, introduced by Representative Loudon, et al, relating to long distance telephone services.

HB 1372, introduced by Representative Troupe, relating to education for inmates.

HB 1373, introduced by Representative May (108), relating to electronic transmission of filings with the secretary of state.

HB 1374, introduced by Representative Scheve, relating to notification to policyholders of loan interest due.

HB 1375, introduced by Representative May (108), relating to statute of limitations for actions against health care providers.

HB 1376, introduced by Representative Broach, relating to storm water control.

HB 1377, introduced by Representative Broach, relating to licensing of electricians and electric contractors.

HB 1378, introduced by Representative Townley, et al, relating to motor vehicle records.

HB 1379, introduced by Representative Townley, et al, relating to social security numbers on certain documents.

HB 1380, introduced by Representatives Kreider and Legan, relating to building regulations in certain counties.

HB 1381, introduced by Representatives Fritts and Parker, relating to internet transmittal of votes for certain federal employees.

HB 1382, introduced by Representative Summers, relating to income taxation.

HB 1383, introduced by Representatives Liese and Gunn, et al, relating to the viatical settlements act.

HB 1384, introduced by Representative Stoll, et al, relating to public school retirement systems.

HB 1385, introduced by Representative Summers, relating to public water supply district board meetings.

HB 1386, introduced by Representative Gaskill, et al, relating to an income tax credit.

HB 1387, introduced by Representative Gaskill, relating to the adoption of common law.

HB 1388, introduced by Representative Gaskill, relating to certain crimes involving alcohol.

HB 1389, introduced by Representatives Barry and Dougherty, et al, relating to open referral health plans.

HB 1390, introduced by Representative Parker, relating to disposal of sewage.

HB 1391, introduced by Representative Van Zandt, et al, relating to exceptions to the authorization of closed meetings and closed records.

HB 1392, introduced by Representative Van Zandt, et al, relating to the sunshine law.

HB 1393, introduced by Representative Lakin, relating to criminal background checks for health care employees.

HB 1394, introduced by Representatives Dougherty and Wiggins, et al, relating to fuel conservation.

HB 1395, introduced by Representative Bland, relating to consumer choice of health care providers.

HB 1396, introduced by Representative Bland, relating to cancellation of insurance policies.

HB 1397, introduced by Representative Bland, relating to liquor control.

HB 1398, introduced by Representative Bland, relating to mandatory coverage for hospital stays following

surgery.

HB 1399, introduced by Representative Bland, relating to jury service.

HB 1400, introduced by Representative Kissell, relating to discipline of law enforcement officers.

HB 1401, introduced by Representative Hosmer, relating to real property.

HB 1402, introduced by Representatives Hosmer and Wooten, relating to hospital safety.

HB 1403, introduced by Representative Parker, relating to assault on a law enforcement officer in the third degree.

HB 1404, introduced by Representative Parker, relating to parental liability for a minor's acts.

HB 1405, introduced by Representatives Hosmer, Gaw, Crump, Clayton and Luetkenhaus, et al, relating to the civil commitment of sexual predators.

HB 1406, introduced by Representative Bray, relating to human rights.

HB 1407, introduced by Representatives Ransdall and Leake, relating to search warrants.

HB 1408, introduced by Representative Chrismer, relating to property taxation.

HB 1409, introduced by Representative Luetkenhaus, relating to workers' compensation.

HB 1410, introduced by Representative Luetkenhaus, relating to physically disabled license plates and placards.

HB 1411, introduced by Representative Treadway, relating to architects, professional engineers and professional land surveyors.

HB 1412, introduced by Representatives Harlan and Foley, et al, relating to health plans for state employees.

HB 1413, introduced by Representative Pryor, et al, relating to income taxation.

HB 1414, introduced by Representative Pryor, et al, relating to the Missouri state water patrol.

HB 1415, introduced by Representative Pryor, et al, relating to sheltered workshops.

HB 1416, introduced by Representative Kennedy, relating to certain police retirement and pension systems.

WITHDRAWAL OF HOUSE BILL

January 15, 1998

Speaker Steve Gaw

Missouri House of Representatives

State Capitol

Jefferson City, Missouri 65101

Dear Speaker Gaw:

We respectfully request that **HB 1083** be withdrawn from further consideration by the House of Representatives.

Sincerely,

/s/ Rep. Jim Kreider /s/ Rep. Ken Legan

District 142 District145

The following member's presence was noted: Representative Hickey.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, January 19, 1998.

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 21, 1998, 1:00 pm. Hearing Room 9.St.Louis Regional Convention & Sports Complex Authority. City of Jefferson, "Show Me Results"

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 20, 1998, 8:00 am. Hearing Rooms 1 and 2. Morning hearing will end at 9:45a.m. and will resume at 1200p.m.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 21, 1998, 8:00 am. Hearing Rooms 1 and 2. Morning hearing will end at 9:45 and will resume at 12:00p.m.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 21, 1998, 3:00 pm. Hearing Room 1.

To be considered - HB 903, HB 971, HB 986, HB 1036, HB 1044

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 20, 1998, 3:00 pm. Hearing Room 8. State Tax Commission effects of reassessment quality counts report.

To be considered - HB 928

INSURANCE

Tuesday, January 20, 1998, 8:00 am. Hearing Room 8.

To be considered - HB 958, HB 969, HB 964, HB 952

JOINT COMMITTEE ON VETERANS AFFAIRS

Tuesday, January 27, 1998, 5:00 pm. Senate Lounge. Liberty memorial presentation. Mavo Agenda

JOINT COMMITTEE ON WETLANDS

Wednesday, January 21, 1998, 8:30 am. Hearing Room 1. Update from agencies with wetlands interests and involvement. Executive session.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, January 20, 1998, 3:00 pm. Hearing Room 7.

To be considered - HB 940, HB 992

RETIREMENT

Wednesday, January 21, 1998, 8:00 pm. Hearing Room 2.

To be considered - HB 954, HB 982, HB 1033, HB 1041

HOUSE CALENDAR

Seventh Day, Monday, January 19, 1998

HOUSE BILLS FOR SECOND READING

HB 1366 through 1416

HOUSE CONCURRENT RESOLUTIONS

HCR 3 - Leake

SENATE CONCURRENT RESOLUTIONS

SCR 30 - Farnen

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CORRECTED

DUE TO COMPUTER ERROR

House Journal

Second Regular Session, 89th General Assembly

SEVENTH DAY, Monday, January 19, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Learn to do good, seek justice, correct oppression." (Is. 1:17)

Today we mark the birthday of Martin Luther King, Jr. The conventional wisdom from some is that we should be working today for equality, not integration. Many communities are re-starting or giving new life to the issue of racial reconciliation in recent months. The Christian Churches are making racial reconciliation a part of their efforts at overall reconciliation within themselves and with the other world-wide faiths and the human family as part of the great Jubilee Year 2000 celebrations, based on the biblical model in Leviticus, of having a year of freedom for the human family in the 50th year of Jubilee, the year after the seven by seven.

Gracious God, today we ask a special blessing on the efforts being made to achieve Your own goal set before us in the Hebrew Scriptures and in other major stories from our human past, that each one of us is a sacred person, and our dignity is not determined by our rank, status ethnicity or creed or lack thereof. We praise the humility and courage of those who are standing before the world today to ask for forgiveness for past mistakes and discriminatory behavior. May we all do so in the sanctuary of our hearts, the only lasting place for the change of attitude that will lead to a new way forward. We give thanks in a special way today for the non-violent message and the witness of Dr. King and pray that his efforts will inspire us to do what we can in our time each day. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Justin Reynolds, Sammy Reynolds, Casey Schach, Amanda Beasley, and Macy McKenny.

The Journal of the sixth day was approved as printed.

RESOLUTIONS

Representatives Hagen-Harrell and Donovan offered House Resolution No. 53, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution No. 54 , which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Purgason offered House Resolution No. 55, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ford offered House Resolution No. 56, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Farnen offered House Resolution No. 57, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 58, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crump offered House Resolution No. 59 and House Resolution No. 60, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 61, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Baker offered House Resolution No. 62, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Shields and Howerton offered House Resolution No. 63, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1366 through **HB 1416** were read the second time.

HOUSE CONCURRENT RESOLUTION

HCR 3, relating to agricultural land values, was taken up by Representative Leake.

Representative Murphy offered House Amendment No. 1.

Representative Leake raised a point of order that House Amendment No. 1 is not germane to the resolution.

The Chair ruled the point of order well taken.

Representative Lograsso offered House Amendment No. 1.

House Amendment No. 1 was withdrawn.

Representative Murphy offered House Amendment No. 1.

Representative Leake raised a point of order that House Amendment No.1 is out of order.

The Chair ruled the point of order well taken.

On motion of Representative Leake, **HCR 3** was adopted by the following vote:

AYES: 108

Backer Ballard Barnett Bartelsmeyer Bauer
Bennett Berkstresser Boatright Boucher Broach
Burton Champion Cierpiot Clayton Crawford
Crump Daniel 42 Davis 122 DeMarce Dolan
Edwards-Pavia Elliott Evans Farnen Fitzwater
Foley Foster Franklin Fritts Froelker
Gaskill Gaston Graham 106 Graham 24 Gratz
Griesheimer Gross Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hickey Hilgemann Hohulin
Holand Hosmer Howerton Johnson Kasten
Kelly 27 Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Liese
Long Luetkenhaus Marble May 108 McBride
Merideth Miller Monaco Murray Naeger
O'Connor O'Toole Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Richardson Rizzo Robirds Ross
Sallee Schwab Scott Secrest Seigfreid
Shelton 57 Shields Skaggs Smith Steen
Stoll Summers Surface Thomason 163 Townley
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 044

Akin Alter Auer Barry 100 Bland
Bonner Bray 84 Campbell Carter Chrismer
Cooper Daniels 41 Davis 63 Days Donovan
Dougherty Enz Ford Gibbons Green
Gunn Hagan-Harrell Hendrickson Hollingsworth Kauffman
Kelley 47 Kennedy Levin Linton Lograsso
Loudon Mays 50 McClelland McLuckie Murphy
Ostmann Reynolds Scheve Schilling Sheldon 104
Stokan Stroker Treadway Van Zandt

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Hall Hoppe Nordwald Ridgeway

Shear Thompson 37 Thompson 72 Troupe

VACANCIES: 002

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 4 - Agriculture

HCR 5 - Agriculture

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 26 - Criminal Law

HJR 28 - Miscellaneous Bills and Resolutions

HJR 29 - Judiciary

HJR 30 - Ways and Means

HJR 31 - Budget

HJR 32 - Budget

HJR 33 - Criminal Law

HJR 34 - Transportation

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 939 - Governmental Organization and Review

HB 1046 - Federal-State Relations and Veterans Affairs

HB 1047 - Ways and Means

HB 1048 - Ways and Means

HB 1049 - State Parks, Natural Resources and Mining

HB 1050 - Criminal Law

HB 1051 - Judiciary

HB 1052 - Social Services, Medicaid and the Elderly

HB 1055 - Motor Vehicle and Traffic Regulations

HB 1056 - Correctional and State Institutions

HB 1057 - Local Government and Related Matter

HB 1058 - Banks and Financial Institutions

HB 1059 - Banks and Financial Institutions

HB 1060 - Environment and Energy

HB 1061 - Children, Youth and Families

HB 1062 - Civil and Administrative Law

HB 1063 - Local Government and Related Matters

HB 1064 - Education - Elementary and Secondary

HB 1065 - Civil and Administrative Law

HB 1066 - Civil and Administrative Law

HB 1067 - Criminal Law

HB 1070 - Public Health and Safety

HB 1071 - Children, Youth and Families

HB 1072 - Commerce

HB 1073 - Ways and Means

HB 1074 - Ways and Means

HB 1075 - Agriculture

HB 1076 - Ways and Means

HB 1077 - Motor Vehicle and Traffic Regulations

HB 1078 - Ways and Means

HB 1079 - Criminal Law

HB 1080 - Insurance

HB 1081 - Judiciary

HB 1082 - Insurance

HB 1084 - Miscellaneous Bills and Resolutions

HB 1085 - Motor Vehicle and Traffic Regulations

HB 1086 - Education - Elementary and Secondary

HB 1087 - Education - Elementary and Secondary

HB 1088 - Education - Elementary and Secondary

HB 1089 - Civil and Administrative Law

HB 1090 - Insurance

HB 1091 - Urban Affairs

HB 1092 - Motor Vehicle and Traffic Regulations

HB 1093 - Civil and Administrative Law

HB 1094 - Professional Registration and Licensing

HB 1095 - Civil and Administrative Law

HB 1096 - Criminal Law

HB 1097 - Social Services, Medicaid and the Elderly

HB 1098 - Criminal Law

HB 1099 - Transportation

HB 1100 - Civil and Administrative Law

HB 1101 - Civil and Administrative Law

HB 1102 - Criminal Law

HB 1103 - Judiciary

HB 1104 - Environment and Energy

HB 1105 - Tourism, Recreation and Cultural Affairs

HB 1106 - Judiciary

HB 1107 - Judiciary

HB 1108 - Criminal Law

HB 1109 - Civil and Administrative Law

HB 1110 - Education - Elementary and Secondary

HB 1111 - Retirement

HB 1112 - Transportation

HB 1113 - Local Government and Related Matters

HB 1115 - Civil and Administrative Law

HB 1116 - Children, Youth and Families

HB 1117 - Local Government and Related Matters

HB 1118 - Criminal Law

HB 1119 - Public Health and Safety

HB 1120 - Governmental Organization and Review

HB 1121 - Civil and Administrative Law

HB 1122 - Criminal Law

HB 1125 - Professional Registration and Licensing

HB 1126 - Commerce

HB 1127 - Judiciary

HB 1128 - Judiciary

HB 1129 - Civil and Administrative Law

HB 1130 - Correctional and State Institutions

HB 1131 - Criminal Law

HB 1132 - Consumer Protection

HB 1133 - Workers Compensation and Employment Security

HB 1134 - Civil and Administrative Law

HB 1135 - Education - Elementary and Secondary

HB 1140 - Local Government and Related Matters

HB 1141 - Children, Youth and Families

HB 1142 - Utilities Regulation

HB 1143 - Utilities Regulation

HB 1144 - Utilities Regulation

HB 1145 - Civil and Administrative Law

HB 1146 - Insurance

HB 1147 - Criminal Law

HB 1148 - Commerce

HB 1149 - Local Government and Related Matters

HB 1150 - Motor Vehicle and Traffic Regulations

HB 1151 - Local Government and Related Matters

HB 1152 - Education - Elementary and Secondary

HB 1153 - Social Services, Medicaid and the Elderly

HB 1154 - Workers Compensation and Employment Security

HB 1155 - Ways and Means

HB 1156 - Civil and Administrative Law

HB 1157 - Miscellaneous Bills and Resolutions

HB 1158 - Local Government and Related Matters

HB 1159 - Municipal Corporations

HB 1160 - Insurance

HB 1162 - Education - Higher

HB 1163 - Judiciary

HB 1164 - Local Government and Related Matters

HB 1166 - Workers Compensation and Employment Security

HB 1167 - Correctional and State Institutions

HB 1168 - Criminal Law

HB 1169 - Consumer Protection

HB 1170 - Motor Vehicle and Traffic Regulations

HB 1171 - Motor Vehicle and Traffic Regulations

HB 1172 - Education - Elementary and Secondary

HB 1173 - Civil and Administrative Law

HB 1174 - Criminal Law

HB 1175 - Insurance

HB 1177 - Civil and Administrative Law

HB 1178 - Consumer Protection

HB 1179 - Insurance

HB 1180 - Civil and Administrative Law

HB 1181 - Elections

HB 1182 - Ways and Means

HB 1183 - Critical Issues

HB 1184 - Ways and Means

HB 1185 - Correctional and State Institutions

HB 1186 - Criminal Law

HB 1187 - Miscellaneous Bills and Resolutions

HB 1188 - Judiciary

HB 1189 - Banks and Financial Institutions

HB 1190 - Professional Registration and Licensing

HB 1191 - Education - Elementary and Secondary

HB 1192 - Motor Vehicle and Traffic Regulations

HB 1193 - Motor Vehicle and Traffic Regulations

HB 1194 - Environment and Energy

HB 1195 - Judiciary

HB 1196 - Workers Compensation and Employment Security

HB 1197 - Social Services, Medicaid and the Elderly

HB 1198 - Insurance

HB 1199 - Miscellaneous Bills and Resolutions

HB 1200 - Education - Elementary and Secondary

HB 1201 - Ways and Means

HB 1202 - Ways and Means

HB 1203 - Ways and Means

HB 1204 - Education - Elementary and Secondary

HB 1205 - Ways and Means

HB 1206 - Ways and Means

HB 1207 - Motor Vehicle and Traffic Regulations

HB 1208 - Judiciary

HB 1209 - Civil and Administrative Law

HB 1210 - Critical Issues

HB 1211 - Judiciary

HB 1212 - Critical Issues

HB 1213 - Professional Registration and Licensing

HB 1214 - Local Government and Related Matters

HB 1215 - Elections

HB 1216 - Civil and Administrative Law

HB 1217 - Elections

HB 1218 - Local Government and Related Matters

HB 1219 - Environment and Energy

HB 1220 - Ways and Means

HB 1221 - Motor Vehicle and Traffic Regulations

HB 1222 - Education - Higher

HB 1223 - Judiciary

HB 1224 - Transportation

HB 1225 - Judiciary

HB 1226 - Judiciary

HB 1227 - Transportation

HB 1228 - Judiciary

HB 1229 - Budget

HB 1230 - Civil and Administrative Law

HB 1231 - Children, Youth and Families

HB 1232 - Education - Elementary and Secondary

HB 1234 - Critical Issues

HB 1235 - Children, Youth and Families

HB 1236 - Ways and Means

HB 1237 - Workers Compensation and Employment Security

HB 1238 - Motor Vehicle and Traffic Regulations

HB 1239 - Criminal Law

HB 1240 - Agri-Business

HB 1241 - Local Government and Related Matters

HB 1242 - Insurance

HB 1243 - Environment and Energy

HB 1244 - Ways and Means

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 41, introduced by Representative Shear, to ratify a proposed amendment to the Constitution of the United States.

HJR 42, introduced by Representative Patek, relating to education.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1417, introduced by Representatives Levin, Edwards-Pavia, Secrest, Chrismer, Berkstresser, Reinhart, Bartelsmeyer, Richardson, Linton, Hendrickson, Holand, Naeger, Cierpiot, Sallee, Enz, Surface, Nordwald, Bennett (15) and Kasten, relating to income taxation.

HB 1418, introduced by Representative Shear, relating to child care facilities operated by religious organizations.

HB 1419, introduced by Representatives Riback Wilson and Holand, relating to blood tests for pregnant women.

HB 1420, introduced by Representative Long, relating to court costs.

HB 1421, introduced by Representatives Boucher and Hendrickson, relating to a prohibition against the transportation of a dog in an unenclosed cargo area of a truck.

HB 1422, introduced by Representative Patek, relating to commercial motor vehicle fees.

HB 1423, introduced by Representative Patek, relating to motor fuel taxation.

HB 1424, introduced by Representative Patek, relating to medical school scholarships.

HB 1425, introduced by Representative Patek, relating to municipal removal of weeds.

HB 1426, introduced by Representative Patek, relating to the carrying of firearms by probation and parole officers.

HB 1427, introduced by Representative Patek, relating to the A+ school program.

HB 1428, introduced by Representatives DeMarce and Treadway, relating to estheticians.

HB 1429, introduced by Representative Fritts, relating to billing procedures of providers of utility services.

HB 1430, introduced by Representative Fritts, relating to wild game donations.

HB 1431, introduced by Representative Fritts, relating to funding for sheltered workshops.

HB 1432, introduced by Representatives Gibbons and McClelland, et al, relating to tax credit against the state income tax for the payment of real property taxes.

HB 1433, introduced by Representative Pouche, relating to the transfer of concealable firearms.

HB 1434, introduced by Representatives Thomason (163) and Ross, relating to special motor vehicle license plates.

HB 1435, introduced by Representatives Clayton, Stroker, Murray, Kreider, Smith, Seigfreid, Lakin,

DeMarce, Graham (24), Johnson and Ransdall, et al, relating to crimes and punishment.

HB 1436, introduced by Representative Kelley (47), et al, relating to the exclusive jurisdiction of juvenile courts.

HB 1437, introduced by Representatives Kelley (47) and Long, relating to dependency income tax deductions.

HB 1438, introduced by Representative Kelley (47), et al, relating to the sale of liquor to minors.

HB 1439, introduced by Representative Kelley (47), relating to the sale of beer.

HB 1440, introduced by Representatives Sallee and Marble, relating to the prevailing wage.

WITHDRAWAL OF HOUSE RESOLUTION

January 19, 1998

Mrs. Joan Branson

Assistant Chief Clerk

House of Representatives

Dear Joan:

I respectfully request that House Resolution #40 be withdrawn as of this date.

Thanking you in advance for your time and consideration, I remain

Sincerely yours,

/s/ Wayne Crump

WITHDRAWAL OF HOUSE BILL

January 15, 1998

The Honorable Steve Gaw

Speaker

House of Representatives

Capitol Building, Room 308

Jefferson City, Missouri 65101

Dear Mr. Speaker:

I respectfully request that House Bill 956 be withdrawn from further consideration by the House of

Representatives. Thank you.

Sincerely,

/s/ Larry Thomason

The following member's presence was noted: Representative Nordwald.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, January 20, 1998.

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 21, 1998, 1:00 pm. Hearing Room 9. St. Louis Regional Convention & Sports Complex Authority. City of Jefferson, "Show Me Results"

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 20, 1998. Hearing Room 8 upon morning adjournment. Public testimony. Dept. of Health and Dept. of Mental Health.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 20, 1998, 8:00 am. Hearing Rooms 1 and 2. Morning hearing will end at 9:45am and will resume at 1200pm

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 21, 1998, 8:00 am. Hearing rooms 1 and 2. Morning hearing will end at 9:45 and will resume at 12:00p.m.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 21, 1998, 3:00 pm. Hearing Room 1.
To be considered - HB 903, HB 971, HB 986, HB 1036, HB 1044

CRIMINAL LAW

Wednesday, January 21, 1998, 8:00 pm. Hearing Room 7. Information session only Dept. of Corrections and Highway Patrol.

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 20, 1998, 3:00 pm. Hearing Room 8. State Tax Commission effects of reassessment quality counts report.
To be considered - HB 928

EDUCATION - HIGHER

Wednesday, January 21, 1998, 3:00 pm. Hearing Room 8. Possible executive session.

To be considered - HB 1162, HB 926

INSURANCE

Tuesday, January 20, 1998, 8:00 am. Hearing Room 8.

To be considered - HB 958, HB 969, HB 964, HB 952

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, January 20, 1998, 9:00 am. Hearing Room 7.

JOINT COMMITTEE ON VETERANS AFFAIRS

Tuesday, January 27, 1998, 5:00 pm. Senate Lounge. Liberty memorial presentation. Mavo Agenda

JOINT COMMITTEE ON WETLANDS

Wednesday, January 21, 1998, 8:30 am. Hearing Room 5. Update from agencies with wetlands interests and involvement. Executive session. REVISED (ROOM CHANGE)

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 21, 1998, 8:45 am. Hearing Room 7.

To be considered - HR 38, HB 1199, HB 1187, HB 1084, HJR 28

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, January 20, 1998, 3:00 pm. Hearing Room 7.

To be considered - HB 940, HB 992

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, January 21, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 951, HB 1045, HB 1125, HB 1213

PUBLIC HEALTH AND SAFETY

Tuesday, January 20, 1998, 3:00 pm. Hearing Room 9.

To be considered - HB 918, HB 998

RETIREMENT

Wednesday, January 21, 1998, 8:00 pm. Hearing Room 2.

To be considered - HB 954, HB 982, HB 1033, HB 1041

TRANSPORTATION

Wednesday, January 21, 1998, 3:00 pm. Hearing Room 5.

To be considered - HB 995, HB 1028, HB 1112, HB 1227

WAYS AND MEANS

Tuesday, January 20, 1998, 3:00 pm. Hearing Rooms 1 and 2.

To be considered - HB 1244, HB 1076, HB 1236, HB 1182

HOUSE CALENDAR

Eighth Day, Tuesday, January 20, 1998

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 41 and HJR 42

HOUSE BILLS FOR SECOND READING

HB 1417 through HB 1440

SENATE CONCURRENT RESOLUTION

SCR 30 - Farnen

House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives

RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
Frequently Requested Resources

Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

EIGHTH DAY, Tuesday, January 20, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"My honesty will answer for me." (Gen. 30:33)

Two stories from today's news give pause. One is about the relative of a former member of this House from St. Louis whose body was buried as an Unknown Airman from the Vietnam War but whose identity was concealed for political purposes. The other is the speculation about the political implications of Pope John Paul II's visit to Cuba tomorrow.

Gracious God, today, we pray for the elimination of the crass manipulation of the public, by cynical public officials, wherever and whoever, particularly avoiding the kind of pain caused to the family's feelings. We also pray for a greater understanding of the role of faith in public life. Religious values have social implications and they do impact public policy, whether in Missouri or Cuba. We pray for a healthy religious community which does not cross its bounds and for a political leadership which does not try to co-opt or ignore a people's deeply held values. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brant Mettler and Shannon Little.

RESOLUTIONS

Representative Scheve offered House Resolution No. 64, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Koller offered House Resolution No. 65, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pryor offered House Resolution No. 66, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 67, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Crump offered House Concurrent Resolution No. 10.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 41 and HJR 42 were read the second time.

SECOND READING OF HOUSE BILLS

HB 1417 through HB 1440 were read the second time.

SENATE CONCURRENT RESOLUTION

SCR 30, relating to telephone service, was taken up by Representative Farnen.

On motion of Representative Farnen, SCR 30 was adopted by the following vote:

AYES: 144

Alter Backer Ballard Barnett Barry 100

Bartelsmeyer Bauer Bennett Berkstresser Bland

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Champion Chrismer Cierpiot

Clayton Cooper Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Hagan-Harrell Hall Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Leake Legan

Levin Liese Lograsso Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 011

Akin Auer Carter Days Ford

Gunn Linton Loudon Murphy Scheve

Thompson 72

PRESENT: 000

ABSENT WITH LEAVE: 006

Copeland Harlan Lawson Ridgeway Shear

Thompson 37

VACANCIES: 002

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 43, introduced by Representatives Edwards-Pavia and DeMarce, et al, relating to the state board of education.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1441, introduced by Representatives Luetkenhaus, Gratz, Barry, Treadway, O'Connor, Chrismer, Edwards-Pavia and Cierpiot, et al, relating to banning partial birth abortions.

HB 1442, introduced by Representative Stroker, et al, relating to bankruptcy exemptions.

HB 1443, introduced by Representatives May (108) and Hosmer, et al, relating to offenses against the administration of justice.

HB 1444, introduced by Representative May (108), relating to civil procedure.

HB 1445, introduced by Representatives May (108), Hosmer, Dougherty, Green, Bennett (15), O'Toole and Smith,

relating to the unlawful use of weapons.

HB 1446, introduced by Representative Patek, relating to campaign finance disclosure.

HB 1447, introduced by Representative Smith, et al, relating to the number of authorized personnel for the state highway patrol.

HB 1448, introduced by Representatives Hartzler (124), Edwards-Pavia and Secrest, et al , relating to teachers.

HB 1449, introduced by Representative Pouche, relating to orders of protection.

HB 1450, introduced by Representatives Barry and Hosmer, et al, relating to massage business.

HB 1451, introduced by Representatives Dougherty and Edwards-Pavia, et al, relating to the domestic abuse insurance protection act.

HB 1452, introduced by Representative Legan, et al, relating to school property tax rates.

HB 1453, introduced by Representative O'Toole, et al, relating to the one year statute of limitations.

HB 1454, introduced by Representative O'Toole, et al, relating to certain retirement systems in the city of St. Louis.

HB 1455, introduced by Representatives O'Toole and May (108), et al, relating to certain police retirement benefits.

HB 1456, introduced by Representative Surface, relating to county revenue collector's offices.

HB 1457, introduced by Representative Bland, relating to economic development in certain economically depressed areas.

HB 1458, introduced by Representative Bland, relating to public health.

HB 1459, introduced by Representative Bland, relating to taxation.

HB 1460, introduced by Representatives Ladd Stokan and Koller, et al, relating to motor vehicles.

HB 1461, introduced by Representative Farnen, relating to sales tax exemptions.

HB 1462, introduced by Representative Treadway, relating to professional land surveyors.

HB 1463, introduced by Representative Auer, relating to a police retirtement system in a certain city.

HB 1464, introduced by Representative Naeger, et al, relating to the transportation of pupils to all schools.

HB 1465, introduced by Representative O'Toole, relating to certain practices by telephone companies.

HB 1466, introduced by Representative Kauffman, relating to motor vehicles.

HB 1467, introduced by Representative Champion, relating to the nonemergency medical transportation program.

HB 1468, introduced by Representative Reynolds, relating to prohibiting the imposition of tax on certain professions.

HB 1469, introduced by Representatives Relford and McLuckie, et al, relating to certificate of license to teach.

WITHDRAWAL OF HOUSE JOINT RESOLUTION

January 19, 1998

Mrs. Joan Branson

Asst. Chief Clerk

House of Representatives

Dear Joan:

I respectfully request that HJR 42 be withdrawn as of this date. Thank you.

Respectfully,

/s/ Jewell Patek

WITHDRAWAL OF HOUSE BILL

January 20, 1998

Hon. Steve Gaw, Speaker

House of Representatives

Capitol Building

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that House Bill 1303 be withdrawn.

Sincerely,

/s/ Joe Treadway

The following member's presence was noted: Representative Lawson.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, January 21, 1998.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 21, 1998, 3:00 pm. Hearing Rooms 3 and 4.

Executive session may follow.

To be considered - HB 1037, HB 922, HCR 5

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 21, 1998, 1:00 pm. Hearing Room 9. St. Louis Regional

Convention & Sports Complex Authority. City of Jefferson, "Show Me Results"

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 27, 1998, 12:00 pm. Hearing Room 8. Depts. of

Agriculture, Conservation, Insurance and Labor and Industrial Relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 28, 1998, 12:00 pm. Hearing Room 8.

Department of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, January 29, 1998. Hearing Room 8 immediately upon adjournment.

Department of Economic Resources.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 21, 1998, 8:00 am. Hearing Rooms 1 and 2.

Morning hearing will end at 9:45 and will resume at 12:00p.m.

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 21, 1998, 8:00 pm. Hearing Room 8.

To be considered - HB 974, HB 1061, HB 1071, HB 1116, HB 1235

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 21, 1998, 3:00 pm. Hearing Room 1.

To be considered - HB 903, HB 971, HB 986, HB 1036, HB 1044

CRIMINAL LAW

Wednesday, January 21, 1998, 8:00 pm. Hearing Room 7.

Information session only. Dept. of Corrections and Highway Patrol.

EDUCATION - HIGHER

Wednesday, January 21, 1998, 3:00 pm. Hearing Room 8.

Possible executive session.

To be considered - HB 1162, HB 926

ENVIRONMENT AND ENERGY

Thursday, January 22, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1161, HB 994

JOINT COMMITTEE ON VETERANS AFFAIRS

Tuesday, January 27, 1998, 5:00 pm. Senate Lounge.

Liberty memorial presentation. Mavo Agenda

JOINT COMMITTEE ON WETLANDS

Wednesday, January 21, 1998, 8:30 am. Hearing Room 5. Update from agencies with wetlands interests and involvement. Executive session.

REVISED (ROOM CHANGE)

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 21, 1998, 8:45 am. Hearing Room 7.

To be considered - HR 38, HB 1199, HB 1187, HB 1084, HJR 28

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, January 21, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 951, HB 1045, HB 1125, HB 1213

RETIREMENT

Wednesday, January 21, 1998, 8:00 pm. Hearing Room 2. CANCELLED

To be considered - HB 954, HB 982, HB 1033, HB 1041

TRANSPORTATION

Wednesday, January 21, 1998, 3:00 pm. Hearing Room 5.

To be considered - HB 995, HB 1028, HB 1112, HB 1227

UTILITIES REGULATION

Thursday, January 22, 1998, 8:30 am. Hearing Room 5.

To be considered - HB 1142, HB 1143

HOUSE CALENDAR

Ninth Day, Wednesday, January 21, 1998

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 43

HOUSE BILLS FOR SECOND READING

HB 1441 through HB 1469

House Members
Bill Information
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General Information
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Missouri Senate
Revised Statutes of Missouri Search
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Missouri Constitution
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Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

NINTH DAY, Wednesday, January 21, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

O God, before we become any more involved in this day, we pause to seek Your help. Experienced in the ways of the world, we find we know all too little of the ways of God. But You know us - You know our names, our thoughts, our motivations. Forgive us the faults and failures of past days and help us to look toward our tomorrows with hope and vision.

We pray today for our leaders, the Speaker of this House, Steve Gaw, Governor Carnahan; for our President Bill Clinton; for all those in positions of authority that they may fairly and justly use the trust committed to them for the good of all people. Remind each of us of the tremendous responsibility we have to think thoughts above our own selfish desire and do deeds that benefit more than our own personal agendas.

And now be present to us in these moments and in the hours before us, so that the business of this House proceeds in due order with Your guidance and direction. Blessed are You, *Adonai* Our God, Sovereign of the Universe who has given wisdom to mortals. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Page for the Day, to serve without compensation: Katie Myers.

The Corrected Journal of the seventh day was approved as printed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett
Berkstresser Bland Boatright Boucher Bray 84
Broach Burton Campbell Carter Champion
Cierpiot Clayton Cooper Crawford Crump
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Leake Legan Levin Liese
Linton Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner Chrismer Copeland Daniel 42 Edwards-Pavia
Lawson Ridgeway Shear Thompson 37

VACANCIES: 002

The Journal of the eighth day was approved as printed.

RESOLUTIONS

Representative Fritz offered House Resolution No. 68, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Riback Wilson offered House Resolution No. 69, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boatright offered House Resolution No. 70, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Thompson (72) offered House Resolution No. 71, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Naeger offered House Resolution No. 72, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 43 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1441 through **HB 1469** were read the second time.

COMMITTEE REPORT

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred House Resolution No. 29 through House Resolution No. 37, House Resolution No. 39, and House Resolution No. 41 through House Resolution No. 67, begs leave to report it has examined the same and recommends that they Do Pass.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Wilson, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present.

AYES: 033

Banks Bentley Caskey Childers Clay

Curls DePasco Ehlmann Flotron Goode

Graves House Howard Jacob Johnson

Kenney Kinder Klarich Lybyer Mathewson

Maxwell McKenna Mueller Quick Rohrbach

Russell Scott Sims Singleton Staples

Westfall Wiggins Yeckel

NOES: 000

ABSENT: 000

ABSENT WITH LEAVE: 001

Schneider

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present.

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Bland Boatright Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Leake Legan Levin

Liese Linton Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shields Skaggs Smith

Steen Stokan Stoll Stroker Surface

Thomason 163 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Murphy

PRESENT: 003

Lograsso Shelton 57 Summers

ABSENT WITH LEAVE: 008

Bonner Copeland Daniel 42 Edwards-Pavia Lawson

Ridgeway Shear Thompson 37

VACANCIES: 002

The Doorkeeper announced the approach of the Governor of the State of Missouri, Honorable Mel Carnahan. The Governor was duly escorted to the House Chamber and to the Speaker's dais, where he delivered the following message to the assembly in the Joint Session.

STATE OF THE STATE ADDRESS

BY

GOVERNOR MEL CARNAHAN

January 21, 1998

Mr. President, Mr. Speaker, Mr. President Pro Tem, Distinguished State Officials, Members of the 89th General Assembly, and Citizens of the State of Missouri:

INTRODUCTION

When we seek the foundation for a new century, we need not travel far. That foundation is found in the faces of our children.

As governor, I receive all kinds of letters. But the ones I treasure most come from these young people. When they share their questionstheir ideastheir dreams, you cannot help but realize how important the work we do here really is.

One of the letters I received came from a fifth grader from St. Louis named John Doyle, who wanted me to visit his school. In that letter, John was thinking ahead. He included a P.S. that read: "I wrote the President a letter and also asked him to come to my school. So make sure you aren't coming on the same day the president is."

Another letter I will always remember came from Jessica Herron of Paris. She just wrote me to say that she thought I looked pretty good for my age. Her civics teacher had told her how old I was, and she thought I looked twenty years younger. So naturally, I wanted you to meet such a perceptive and intelligent young lady. I might add that Jessica ended her letter by telling me to "keep looking good." Jessica, I just want you to know I'm trying.

Rachel Higginbotham from St. Louis sent me a leadership survey, which I filled out and returned to her. And then there are the thank you letters I get for all we are doing for education--like the one I received last summer from Ariel Roads of Moberly. Ariel had just attended our Missouri Scholars Academy where gifted students who will be high school juniors are selected to participate in three weeks of learning and enrichment activities to help them realize the full potential of their abilities.

We also have some other students from last year's Scholars Academy here today--Cecilia Kuntz of Cape Girardeau; Cali Howitt from Springfield; Shayla Day from New Madrid; Grant Ewert of Hannibal; Jean Yu from St. Louis; and Tanisha Robinson from Liberty. Would you all please stand, so we can show you how much we appreciate your being here.

One other Missouri Scholar is with us today, and I want to tell you a little bit about him because he is a young man whose letter made a great impression on me. That young man is Zachary Burden of Kansas City. Zachary attends Oak Park High School where he is on the Student Council, is deeply involved in music, and was President of his Sophomore class and of the Honor Society. As if that isn't enough, he has worked to coordinate activities for children at a local homeless shelter and worked with a home for teenage mothers. Zachary says, "the best way to lead is by example," and certainly Zachary is living by that creed. In his letter, Zachary talks about what makes a true leader, and he describes things such as standing up for what you believe, caring about the people you represent, and knowing when to stand firm and when to compromise. Zachary Burden wants to be a public officeholder, and I believe he would be a great one. Zachary, would you please stand.

Many of these young people like Zachary Burden may be public servants one day--some of them sitting in the very seats you occupy now. These young people will be running our businessescaring for the sick and needyteaching the generation to follow. That's why I wanted you to meet them.

They are the faces of the futureour futureMissouri's future. And the decisions we make over the next few months will have a direct effect on the path their lives will take.

Our legacy should be a solid foundation for these young people to build on--a Missouri that answers their questionsencourages their ideasfulfills their dreams.

ECONOMY

Building a solid foundation for the faces of the future begins with a strong economy. Missouri's economy is packing a solid punch with all major economic indicators continuing to flex their muscles.

Since I took office, we have created more than 317,000 new jobs. In fact, over the years of our administration, Missouri's job creation rate has grown a full percentage point faster than the nation's. Our exports have doubled. Last year, Missourians' personal income rose 5.9 percent. And at 3.5 percent, our current unemployment rate has reached an historic low--almost a full percentage point below the national rate.

Our economy is doing so well because business has confidence in Missouri. We have established a good climate for investment. We are keeping the quality of our work force up. We have a highly skilled work force that is one of the most productive in the country. And we have a well-defined educational network that gives workers the skills they will need to succeed in the emerging high-tech economy of the 21st century.

We are keeping the cost of doing business down. For example, by increasing the competition between insurance companies to provide workers compensation coverage, premiums for businesses have declined by approximately $236 million--with a 10 percent decrease just in the last year alone.

We will continue to work toward improving our business climate and creating jobs for Missourians. And we will continue to keep the financial affairs of state government in order.

We will continue to keep our debt and tax burden low. Currently, only one state in the entire nation has lower combined state and local taxes. And year after year, we balance our state budget.

I want to acknowledge our two budget chairs, Senator Lybyer and Rep. Franklin, as well as the members of their committees, for their role in keeping our state on sound financial footing. Because of our careful budgeting practices, excellent financial management, and pro-active approach to economic development,

Missouri continues to be nationally recognized.

TAX CUTS

As a result of our strong economy, we can offer Missourians new tax relief again this session. Last year, we left more money in our citizens' pockets by cutting the state sales tax on food. This year, we want to cut taxes on another necessity--the home.

Our tax cut, called the Homestead Property Tax Credit, would help Missourians who pay real property tax or rent. Homeowners making under $100,000 per year would be eligible for a partial tax credit on property tax paid. Renters would be given partial tax credit.

Most Missouri households would realize a $70 savings from this action. For the average married couple, this tax cut would equal almost ten percent of their property tax. The tax cut would begin in tax year 1998 and benefit approximately 2.9 million Missourians. Providing this new tax cut will enhance our national reputation for budgetary responsibility and offer more relief for our working families.

A second action I am proposing offers enhanced property tax relief to those Missourians who need it most--our seniors and Missourians with disabilities. We currently offer a property tax credit for seniors and the disabled known as the Circuit Breaker, which allows many of these citizens to stay in their own homes rather than being forced to go into nursing homes or other care facilities.

Under our proposal, we will increase the number of elderly and disabled Missourians who qualify for this credit, increase the number who receive the maximum credit, and increase the amount of partial credit for those who are eligible. We will raise the income thresholds for married filers so that those earning up to $27,000 could participate. For single filers, those earning up to $25,000 will now be eligible.

Taken together, our Homestead Property Tax Credit and the expansion of our Seniors and Disabled Property Tax Credit will provide broad-based and meaningful tax relief, just as we did last year when we eliminated the state sales tax on food.

When our 1997 and 1998 tax cuts are fully implemented, we will have cut Missourians' taxes by over $460 million a year. This is significant relief that targets the two basics in every Missouri household--food and shelter. In addition, these tax cuts strike a solid balance between our desire to offer Missourians additional tax relief and the need to safeguard the investments we are making to improve their quality of life.

By maintaining that critical balance, we ensure that our strong economy and quality of life will continue. Our efforts to improve the education of our children, move people from welfare into the work force, and keep our citizens safe from dangerous criminals must advance if we are to continue to improve our quality of life.

Compromising our investments of today would sacrifice the future of the faces of tomorrow.

EARLY CHILDHOOD CARE AND EDUCATION

From the moment these faces of tomorrow come into the world, they are looking to usfor lovefor carefor instruction. The latest research confirms that the direction our children's lives will take is substantially shaped by the first five years of their lives. So it's crucial that we offer our children the resources and experiences they need to grow into bright, responsible adults.

Failure to provide the best care and education for our children in the beginning means we will be paying a high price in the end. Criminal behavior, illiteracy, poor health, and lack of productivity and personal responsibility are much more difficult to reverse later in life and certainly more costly.

We must provide our children with the opportunities they need to be successful. Yet, today, more and more parents must seek help in providing early care and education. More than 60 percent of our parents with children under the age of six work outside the home.

The constantly increasing number of families with two working parents, single working parents, and former

welfare recipients moving into work means more Missouri children are receiving more of their care and education outside the home than ever before. Unfortunately, those services are not always easily available, affordable, or of the best quality. And no parents are at their best, personally or professionally, if they must worry constantly about finding someone that they can afford and trust to take good care of their child.

Building on the work of our Commission on Early Childhood Care and Education, I am proposing a three-pronged initiative in this area. First, we must expand the availability of early childhood care and education. Second, we must improve the quality of this education and care. And third, we must enhance health screenings during the critical first three years.

To expand availability, we propose encouraging public schools to create voluntary pre-kindergarten programs we call "Jump Start." The schools who choose to offer these opportunities will have local control and be able to tailor their approach to be responsive to the needs of their individual communities.

Some voluntary pre-kindergarten opportunities such as the Schools of the 21st Century in Independence are already springing up in our state. We need to encourage this trend by providing start-up grants and other incentives. The result will be more options for more parents and their children.

Expanding access to child care for low-income working families must also be targeted. Since I took office, we have moved more than 82,000 people off of the welfare rolls.

But if our success is to continue, access to affordable child care is imperative. Therefore, our budget will establish 3,900 more child care openings, specifically aimed at helping parents move from welfare to work.

Our second area of concentration targets improving the quality of child care. To help ensure a quality child care work force, we call for scholarships to workers to cover 75 percent of the cost of the continuing training required to work in a licensed child care facility.

In addition, we will bring more training opportunities to in-home providers through our Educare initiative. To encourage the private sector to provide more high quality child care options, we propose redirecting resources to increase reimbursements by 20 percent to our best child care facilities---those that are "accredited".

Our third priority will be early childhood screenings. For the first time, developmental screenings of children under the age of two will be available to every Missouri family that wants them.

Early detection and treatment of delays and problems are critical, so we must make every effort to identify those conditions before it is too late to correct them. We currently have a good network that provides developmental screenings, but it is not complete.

Our initiative will expand access to our nationally recognized Parents As Teachers program and other services that promote healthy development for our youngest citizens. We believe by concentrating on these three areasavailability, quality, and screenings...we can ensure the success of the most important investment in our future--our children.

We all know child care can never take the place of parents. It is only an assurance that in the working parents' absence their child is receiving support, protection, and enrichment. Making available this kind of quality care helps ensure that our faces of the future will enter school ready to learn.

HEALTHY CHILDREN

All of our faces of the future should be healthy faces. Currently, we have 175,000 Missouri children who have no health insurance. Some of them are from families who cannot afford insurance for anyone in the family. Others come from families where employers provide insurance for a parent, but no family coverage, and the cost of an individual policy for that child is more expensive than their family can afford. Many of these children are deprived of good preventive health care services and treatment.

This is unacceptable. By insuring these children, we can prevent many childhood illnesses and disabilities and the expense that accompanies them. Last year, we proposed offering parents access to low-cost private

health insurance for their children through our Kids Care Initiative. Even though it enjoyed broad public support and would have made a great positive impact on the health of Missouri's children at no cost to state taxpayers, the legislature failed to pass Kids Care.

Fortunately, the President and Congress both agreed to greatly expand the national commitment to children's health. So last August, our administration filed for a federal waiver to take full advantage of the new federal resources for children's health care.

Today, I am proposing a Children's Health Initiative that builds on our existing Medicaid managed care program to save administrative costs, speed start-up, and ensure consistency of children's health care. The new federal resources will allow us to expand the availability of this managed care coverage for children up to 300 percent of the federal poverty level.

Our proposal also includes strong safeguards to make certain children are not transferred out of existing private insurance plans. These safeguards include co-pays and sliding scale premiums if this side effect, sometimes called "crowd-out," occurs.

Last year, both the Missouri House and the Senate approved language providing children's health care up to 300 percent of the poverty level. By giving your legislative approval of this action again, we can make health care coverage available for 90,000 of Missouri's uninsured children.

Through proper health care and child care, we can ensure our faces of the future get the best start in life.

EDUCATION

Once our children have a healthy start in life, we must ensure that the next stage of their development is strong.

They must receive the education and training they need from our schools to succeed in the work force of a new century. Providing those opportunities for the faces of the future is the most important priority of our administration.

The reforms of our Outstanding Schools Act continue to improve the quality of education in classrooms all across Missouri. Reduced class sizes, more computers, better vocational education, more highly trained teachers, curriculum improvements, higher academic expectations, and more thorough testing of progress are all having an impact on the level of learning in our schools.

Once again this year, we will be fully funding our new, more equitable school foundation formula so all of our students can have the tools they need to achieve. I am also optimistic about the progress that is being made to remove our urban schools from the control of the federal courts.

The joint committee that studied our urban education problems last year did a thorough job. Certainly, there are a number of issues to be worked out, but the committee's recommendations contain ideas worthy of thoughtful consideration.

Our administration is committed to two goals: bringing court-ordered desegregation to an end and even more importantly, ensuring that all Missouri students, both urban and rural, have access to a quality education.

I look forward to working with you during the session as we search for ways to fully achieve those two goals.

Another barrier to some of our children receiving a quality education is unfit teachers. Recent newspaper stories focus on the fact that there are some teachers who are still in the classroom after having been convicted of felonies.

While the vast majority of our teachers are exemplary role models, we cannot tolerate the presence of teachers who may be dangerous to our children's well-being. These unfit teachers--few as they may be--have the potential to do irreparable harm to countless students.

I have already issued an executive order that directs our state agencies to compare the records of certified teachers against the records of serious felony convictions. Now I am asking you to take the necessary legislative action to remove any unfit teachers from the classroom immediately.

Our proposal would automatically revoke the certificates of teachers convicted of a serious felony crime such as murder, rape, sodomy, child molestation, and drug trafficking. We must see that our children are not placed at risk because of criminals in our classrooms.

Another danger to students in the classroom is inappropriate material on the Internet. Thanks to our expanding computer technology, the Internet has become indispensable in opening the libraries of the world to even the most remote schools.

I am proud that you and I have helped schools get access to the Internet. However, unlike our school libraries, the Internet is not strictly designed for students and permits access to inappropriate material for young people.

I want to make the Internet safe for students by helping schools purchase software that blocks access to these inappropriate sites. This software can prevent certain words from being used in computer searches, blocks access to particular sites, or allows access to only approved sites.

While some schools have begun to purchase this software, their purchases have been limited due to financial constraints. Our initiative would make grants available so that within two years, this software to make the Internet safe for our children could be purchased for any school that wants it.

We must continue to expand access to technology for our students. But we must do so in a way that protects our children. I believe this effort will allow us to keep that critical balance.

In addition to access to technology, it is imperative that our young people realize how important post secondary education is to their ability to compete in the world today. A high school diploma is no longer sufficient for much of today's job market.

A thirteenth and fourteenth year of education has a dramatic effect on our citizens' earning power. Yet the rising cost of receiving any education above high school is a major barrier for many Missourians. So we must be committed to helping more of our citizens obtain the skills they desire.

President Clinton's Hope Scholarship has been approved on the federal level to offer up to a $1,500 federal tax credit on tuition and fees for students who want that thirteenth and fourteenth year. But even with the Hope Scholarship, we have gaps. The Hope Scholarship does not cover some of our low-income students.

Therefore, I am proposing a Bridge Scholarship this year that will bridge the gaps between the Hope Scholarship and other sources of financial aid. Under the Bridge Scholarship plan, students who cannot take full advantage of the Hope Scholarship and other financial aid could still receive up to $1,500 a year with a lifetime maximum of $3,000.

Bridge Scholarships will provide us with a seamless federal-state approach that will give our citizens access to the opportunity of a 13th and 14th year of education.

CRIME

Just as important as shaping our faces of the future for success is our responsibility to protect them from harm.

Our administration has already made great strides in reducing crime rates through our tougher sentences for dangerous criminals and violent juvenile offenders, our lifetime sentences for sexual predators, and our increase in better trained and equipped law enforcement officers.

But right now, another threat is stalking our citizens throughout the state--the monster known as methamphetamine. It lurks in homes, barns, sheds, cars, and hotel rooms, leaving a trail of contamination, death, and destruction in its wake.

Once trapped in "meth's" addiction, the victims face severe health damage or in many cases, death. The reason for its popularity in the drug market is that it's easy and cheap to produce and buy.

Our state has become a "Meth Mecca" because our geographic location provides convenient access to any part of the United States and our rural nature makes it easy to hide an illegal lab in isolated areas. These labs can explode, endangering the lives of innocent people nearby. Law enforcement officers are often seriously injured just from the fumes when they attempt to break up one of these labs. And each pound of "meth" produced in one of these labs creates five to six pounds of hazardous waste to pollute our air, water, land, and livestock.

With all of the dangers "meth" carries with it, it is imperative that we make a coordinated effort to rid our state of "death by meth."

As a result of recommendations from our "Meth" Summit last fall, I am proposing a three-pronged attack to crack down on "crank"--an attack that:

--toughens laws against manufacturing and trafficking;

--gives more resources to law enforcement;

--and expands treatment options for those addicted.

I am urging that we impose penalties that place "meth" manufacturing and trafficking in the same criminal categories as other highly addictive drugs. I'm calling for reductions in the amount of "meth" that is necessary as evidence to gain a felony conviction. I'm ordering new investigative, crime lab, and officer safety equipment as well as new "meth" training for officers. And I'm proposing new prevention and early intervention services to catch at-risk young people early.

We must stop this "epidemic of evil" from spreading across our state and infecting our citizens.

As I mentioned earlier, as a result of legislation the General Assembly passed in 1996, our courts and prosecutors now have the tools to sentence individual "sexual predators" to a life sentence. However, because of pending constitutional issues at that time, our new law did not apply to those who are already in our correctional and mental health systems.

But now that the courts have settled the issue, I believe we must take further steps to make certain that the citizens of our state are not victimized by these threats to our society.

I urge the General Assembly to enact legislation which allows the departments of Corrections and Mental Health to identify and detain in custody those individuals who are likely to attack again but are not subject to our current sexual predator law. This is another significant step in giving Missouri citizens the safety they deserve.

In providing that safety, I believe there is another action we must take this legislative session. We must fund the replacement of our Jefferson City Correctional Center for the safety and security of both the community and the correctional staff.

This prison has served the citizens well since 1836 but has become increasingly more costly to operate and maintain over the years. By replacing this facility now, we will enhance public safety while saving Missouri taxpayers $49 million.

I want to acknowledge Senator Lybyer for his work on this issue. He has been a longtime supporter of this replacement because of its benefits to public safety and its cost-effectiveness.

By continuing to provide strong weapons to fight crime in Missouri, I believe we can keep our commitment to protect the hope that is found in our faces of the future.

CONCLUSION

As you know, I visit with many schoolchildren. And in those faces, I can see that hope burning. In those young people's eyes, I see the intelligence, the enthusiasm, and the energy that will build a better Missouri for all of us. Our actions in the months ahead will give our children that chance.

Recently, when I had a public event with a group of third graders, at the end of our time together, one little boy was giving interviews to the media. When one of my staff remarked that the next Walter Cronkite was standing there, the little boy's teacher told her: "You don't know how much today means to him. All his life he has been shuffled from one foster home to another. But today, he's somebody."

I believe all our citizens should have the opportunity to be somebody. I know I will never forget the action of someone years ago that inspired me to want to be somebody.

When I first ran for state representative, he gave me a buckeye. Now in the Ozarks, where I come from, a buckeye is supposed to bring good luck. But to me, receiving that buckeye was more than that. To me, that simple gift said: "Someone believes in you."

I carried that buckeye for years in my pocket, and every time I touched it, no matter what was happening in my life, good or bad, that message came back to me: "Someone believes in you." The man who gave me that buckeye was my father.

Even to this day, I keep one in my desk drawer. And opening that drawer is like opening up all that love, that strength, and that inspiration that he gave to me.

So before we came here today, I gave each of these young people a buckeye. I gave it to them in the hope that it will always be a reminder, no matter where life may take them, that we believe in them.

And that's why we're here today. Because we believe in our young people. We believe in our state. We believe in our future. May God grant us the strength and the wisdom in the days ahead to act on that faith--a faith in the faces of the future.

The Joint Session was dissolved by the Lieutenant Governor.

Speaker Gaw resumed the Chair.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1470, introduced by Representative Bray, relating to employee rights.

HB 1471, introduced by Representative Nordwald, relating to sales taxation.

HB 1472, introduced by Representative Chrismer, et al, relating to the pilot project scholarship program.

HB 1473, introduced by Representative Hoppe, relating to emergency services.

HB 1474, introduced by Representatives Scheve and McClelland, et al, relating to the state income taxes.

HB 1475, introduced by Representatives Scheve and McClelland, et al, relating to the creation of the senior environmental corps.

HB 1476, introduced by Representatives Scheve and McClelland, et al, relating to the elderly home delivered meals trust fund.

HB 1477, introduced by Representative Wiggins, relating to real property assessment.

HB 1478, introduced by Representative Riback Wilson, et al, relating to the division of mental retardation and developmental disabilities.

HB 1479, introduced by Representative Riback Wilson, relating to the licensure of psychologists.

HB 1480, introduced by Representative DeMarce, relating to local matching funds for local record preservation grants.

HB 1481, introduced by Representative Bauer, relating to tobacco products.

HB 1482, introduced by Representative Howerton, et al, relating to election ballots.

HB 1483, introduced by Representative Reynolds, et al, relating to elections.

HB 1484, introduced by Representative Reynolds, et al, relating to gun-free school zones.

HB 1485, introduced by Representatives Hegeman and Summers, et al, relating to the large animal veterinary medicine loan repayment program.

HB 1486, introduced by Representatives Levin, Gibbons and Edwards-Pavia, et al, relating to tax increment financing projects.

HB 1487, introduced by Representative Hendrickson, et al, relating to the gaming proceeds for education fund.

HB 1488, introduced by Representatives Williams (121) and McClelland, et al, relating to the valuation and taxation of certain property.

HB 1489, introduced by Representative Dougherty, et al, relating to lead abatement.

HB 1490, introduced by Representatives Gratz and Richardson, et al, relating to income taxes.

HB 1491, introduced by Representative Kennedy, relating to workers' compensation physical therapy.

HB 1492, introduced by Representative May (108), et al, relating to fire protection mutual aid agreements.

HB 1493, introduced by Representative Froelker, relating to motor vehicles.

HB 1494, introduced by Representative Froelker, relating to property assessments.

WITHDRAWAL OF HOUSE BILLS

January 19, 1998

Speaker Steve Gaw

Missouri House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Speaker Gaw:

We respectfully request that HB 1085 be withdrawn from further consideration by the House of Representatives. In its place, HB 1421 has been filed.

Sincerely,

/s/ Bill Boucher

January 20, 1998

Speaker Steve Gaw

Missouri House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Speaker Gaw:

I respectfully request that HB 1047 be withdrawn from further consideration by the House of Representatives. Thanks.

Sincerely,

/s/ Chuck Wooten

January 20, 1998

The Honorable Steve Gaw

Speaker, Missouri House of Representatives

State Capitol

Jefferson City, Missouri 65101

Dear Speaker Gaw:

I respectfully request that HB 1247 be withdrawn from further consideration by the House of Representatives.

Sincerely,

/s/ Representative Karl DeMarce

January 21, 1998

The Honorable Steve Gaw, Speaker

House of Representatives

State Capitol

Jefferson City, Missouri 65101

Dear Mr. Speaker:

I respectfully request that HB 1465 be withdrawn for consideration. Thank you for your attention to this matter.

Respectfully submitted,

/s/ James O'Toole

COMMUNICATION

January 20, 1998

Ms. Anne Walker

Clerk of the House

House Post Office, State Capitol

Jefferson City, MO 65101

Dear Ms. Walker:

Under the provisions of 536.021 and 536.037 RSMo, the Joint Committee on Administrative Rules met in Executive Session on January 19, 1998 and voted unanimously to adopt the attached "Report and Recommendations to the General Assembly".

Copies of this letter and the "Report and Recommendations" are being distributed to all members of the General Assembly.

Sincerely,

/s/ Mary Estes-Benward

The following members' presence were noted: Bonner and Daniel (42).

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, January 22, 1998.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Monday, January 26, 1998, 1:00 pm. Hearing Room 7. Judiciary and Public Defender.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 28, 1998. Hearing Room 9 upon morning adjournment.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 27, 1998, 12:00 pm. Hearing Room 8. Depts. of

Agriculture, Conservation, Insurance and Labor and Industrial Relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 28, 1998, 12:00 pm. Hearing Room 8. Department of

Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, January 29, 1998. Hearing Room 8 immediately upon adjournment.

Department of Economic Resources.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, January 28, 1998, 3:00 pm. Hearing Room 6. CORRECTED NOTICE

To be considered - HB 1058, HB 1059, HB 1189

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, January 27, 1998, 8:00 pm. Hearing Room 9.

To be considered - HB 1185, HB 1130, HB 1167

ELECTIONS

Tuesday, January 27, 1998, 8:00 p.m. Hearing Room 8

To be considered - HB 893, HB 985, HB 943

ENVIRONMENT AND ENERGY

Thursday, January 22, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1161, HB 994

JOINT COMMITTEE ON VETERANS AFFAIRS

Tuesday, January 27, 1998, 5:00 pm. Senate Lounge.

Liberty memorial presentation. Mavo Agenda

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Tuesday, January 27, 1998, 8:00 pm. Hearing Room 8.

To be considered - HB 893, HB 985, HB 943

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, January 26, 1998, 8:00 pm. Hearing Room 9.

To be considered - HB 1105, HB 907, HB 942

UTILITIES REGULATION

Thursday, January 22, 1998, 8:30 am. Hearing Room 5.

To be considered - HB 1142, HB 1143

HOUSE CALENDAR

Tenth Day, Thursday, January 22, 1998

HOUSE BILLS FOR SECOND READING

HB 1470 through HB 1499

COURTESY RESOLUTIONS

HR 29 - Bartelsmeyer

HR 30 - Boatright

HR 31, through HR 34 - Gross

HR 35 - Wiggins

HR 36 - Barry

HR 37 - Reynolds

HR 39 - Overschmidt

HR 41 - Stoll

HR 42 - Richardson

HR 43 - Barry

HR 44 - Cooper

HR 45 - Thomason (163)

HR 46 - Overschmidt

HR 47 - Barry

HR 48, and HR 49 - Bartelsmeyer

HR 50 - Ridgeway

HR 51 - Treadway

HR 52 - Bland

HR 53 - Hagan-Harrell

HR 54 - Bland

HR 55 - Purgason

HR 56 - Ford

HR 57 - Farnen

HR 58 - Gaw

HR 59, and HR 60 - Crump

HR 61 - Williams (121)

HR 62 - Backer

HR 63 - Shields

HR 64 - Scheve

HR 65 - Koller

HR 66 - Pryor

HR 67 - Backer

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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

TENTH DAY, Thursday, January 22, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

In the close of this week we stand on perilous ground, O Lord. The possibilities of continuing peace negotiations seem slim; the threat of retaliations and armed conflict seem all too possible; and the frailties of our own human nature have become all too apparent. Help us, O Creator of all that is human and divine, to acknowledge the failings in our own lives before we stand in judgment of the failings of others. And yet, even as we recognize our weaknesses and ask forgiveness, remind us too of our accountability to one another and help us seek to be better people.

We thank You for being present even in the midst of difficulty and the stresses of life. As these representatives carry on the business of this House, may they be comforted by the knowledge that Your ultimate will will prevail, for You are God and there is none greater. Hear us, forgive us, and send us Your grace. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the ninth day was approved as corrected by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger O'Connor

bcO'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stroker Summers Surface Thomason 163

Thompson 72 Townley Treadway Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Edwards-Pavia Hickey Lawson Nordwald

Shear Stoll Thompson 37 Troupe

VACANCIES: 002

RESOLUTIONS

Representative Campbell offered House Resolution No. 73, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Monaco offered House Resolution No. 74, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative DeMarce offered House Resolution No. 75, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Elliott offered House Resolution No. 76, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Elliott and Hohulin offered House Resolution No. 77, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gibbons offered House Resolution No. 78, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 79, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McLuckie offered House Resolution No. 80, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution No. 29 through **House Resolution No. 37**, **House Resolution No. 39** and **House Resolution No. 41** through **House Resolution No. 67** were taken up by Representative Backer.

On motion of Representative Backer, **House Resolution No. 29** through **House Resolution No. 37**, **House Resolution No. 39** and **House Resolution No. 41** through **House Resolution No. 67** were adopted.

SECOND READING OF HOUSE BILLS

HB 1470 through **HB 1499** were read the second time.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 44, introduced by Representatives Koller and Gaw, relating to the department of transportation.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 1014, introduced by Representative Franklin, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 1998.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1500, introduced by Representative Bartelsmeyer, relating to elections.

HB 1501, introduced by Representative Sallee, relating to motor vehicles.

HB 1502, introduced by Representative Nordwald, relating to sales taxation.

HB 1503, introduced by Representative Johnson, et al, relating to benefits for certain retired state employees.

HB 1504, introduced by Representative Campbell, et al, relating to improper claims practices.

HB 1505, introduced by Representative Relford, et al, relating to the Jefferson City correctional center.

HB 1506, introduced by Representative O'Toole, relating to certain practices by telephone companies.

HB 1507, introduced by Representative Bray, relating to the filing requirements for certain tax returns and payments.

HB 1508, introduced by Representatives Relford and Clayton, et al, relating to prior and persistent offenders.

HB 1509, introduced by Representative McLuckie, relating to the environmental improvement and energy resources authority.

HB 1510, introduced by Representatives Campbell and McClelland, relating to the disposition of unclaimed property.

HB 1511, introduced by Representative Koller, relating to motor vehicles.

HB 1512, introduced by Representatives Pouche and Edwards-Pavia, et al, relating to clean lakes.

HB 1513, introduced by Representative Dougherty, relating to closed arrest records.

HB 1514, introduced by Representative Dougherty, relating to physicians and surgeons.

HB 1515, introduced by Representative Dougherty, relating to the transfer of certain cases to family court.

HB 1516, introduced by Representative Dougherty, et al, relating to the collection of delinquent taxes.

HB 1517, introduced by Representative Dougherty, et al, relating to powers of political subdivisions.

HB 1518, introduced by Representative Legan, relating to homemade trailers.

HB 1519, introduced by Representatives Boucher, Ross, Scheve, Days, Ostmann and McClelland, et al, relating to distribution of moneys from the gaming commission fund.

HB 1520, introduced by Representatives Purgason and Marble, et al, relating to school funds.

HB 1521, introduced by Representative Thomason (163), relating to unaccredited school districts.

HB 1522, introduced by Representative Patek, et al, relating to refunds of excess state revenue.

HB 1523, introduced by Representative Patek, relating to parking for the physically disabled.

HB 1524, introduced by Representative Shear, relating to school term starting dates.

HB 1525, introduced by Representative McBride, relating to the department of conservation.

HB 1526, introduced by Representative May (108), et al, relating to pledged property.

HB 1527, introduced by Representative Smith, relating to juveniles in the custody of the division of youth services.

HB 1528, introduced by Representative Smith, relating to sheriff's charges.

HB 1529, introduced by Representative Scott, relating to sales taxation.

HB 1530, introduced by Representatives Clayton and Scott, relating to sales taxation.

HB 1531, introduced by Representative Hoppe, relating to the collection of personal property taxes.

HB 1532, introduced by Representative Hoppe, relating to certain sports complex authorities .

HB 1533, introduced by Representative Shelton (57), relating to the Missouri gaming commission.

HB 1534, introduced by Representatives Graham (24) and Kreider, et al, relating to personal care attendants.

HB 1535, introduced by Representative Gunn, relating to manufactured homes .

HB 1536, introduced by Representative Lakin, et al, relating to the reporting and examination of impaired drivers.

HB 1537, introduced by Representative Troupe, relating to the welfare to work protection act.

HB 1538, introduced by Representative Troupe, relating to contributions by the state for the detention of juveniles.

HB 1539, introduced by Representative Crump, et al, relating to the discipline of patrol officers.

HB 1540, introduced by Representative Crump, et al, relating to off-track pari-mutuel wagering.

HB 1541, introduced by Representatives Hendrickson and Boucher, et al, relating to motor vehicles.

HB 1542, introduced by Representative Hendrickson, et al, relating to sales tax exemptions.

HB 1543, introduced by Representative Bland, et al, establishes tax credits for businesses who purchase certain goods and services.

HB 1544, introduced by Representative Bland, et al, relating to educational programs.

HB 1545, introduced by Representative Bland, relating to academic scholarships for certain motivated and talented students.

HB 1546, introduced by Representative Gaw, et al, relating to an income tax credit for property taxes paid on a homestead.

HB 1547, introduced by Representative Kissell, relating to higher education.

HB 1548, introduced by Representative Hosmer, relating to the general assembly's preemption in the field of taxation of cigarettes and tobacco products.

HB 1549, introduced by Representative Ladd Stokan, et al, relating to the provision of long-term care.

HB 1550, introduced by Representative Ladd Stokan, et al, relating to the provision of long-term care services.

HB 1551, introduced by Representative Backer, relating to transfers of school funds.

HB 1552, introduced by Representative Bray, et al, relating to public funding of election campaigns.

HB 1553, introduced by Representative Foley, et al, relating to municipal fire departments.

WITHDRAWAL OF HOUSE BILLS

January 22, 1998

The Honorable Steve Gaw

Speaker of the House

Room 308 - State Capitol Building

Dear Mr. Speaker:

I respectfully request that House Bill 1356 be withdrawn as of this date.

Thanking you in advance for your time and consideration, I remain

Sincerely yours,

/s/ Wayne Crump

January 22, 1998

The Honorable Steve Gaw

Speaker of the House

State Capitol - Rm. 308

Jefferson City, MO 65101

Dear Steve,

Effective today, January 22, 1998 I'm withdrawing my bill, House Bill 1426. The bill relates to the carrying of firearms by probation and parole officers. Thank you.

Sincerely,

/s/ Jewell D. H. Patek

The following member's presence was noted: Nordwald.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, January 26, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Ninth Day, Wednesday, January 21, 1998, page 122, by inserting after line 40, the following:

HB 1495, introduced by Representatives Parker and Barry, et al, relating to income taxation.

HB 1496, introduced by Representative Parker, relating to sales tax exemptions.

HB 1497, introduced by Representative Parker, relating to an income tax credit.

HB 1498, introduced by Representative Parker, relating to income taxation.

HB 1499, introduced by Representatives McLuckie and McClelland, et al, relating solely to presidential primary elections.

Pages 111 and 112, roll call, by showing Representative Chrismer voting "aye" rather than "absent with leave".

Pages 113 and 114, roll call, by showing Representative Summers voting "aye" rather than "present".

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Monday, January 26, 1998, 1:00 pm. Hearing Room 7. Judiciary and Public Defender.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, January 27, 1998, 10:45 am. Hearing Room 7. Dept. of Public Safety.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, January 28, 1998, 10:45 am. Hearing Room 7. Dept. of Higher Education.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, January 29, 1998, 10:45 am. Hearing Room 7.

Dept. of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 28, 1998. Hearing Room 9 upon morning adjournment.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 27, 1998, 12:00 pm. Hearing Room 8.

Depts. of Agriculture, Conservation, Insurance and Labor and Industrial Relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 28, 1998, 12:00 pm. Hearing Room 8. Department of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, January 29, 1998. Hearing Room 8 immediately upon adjournment.

Department of Economic Resources.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Monday, January 26, 1998, 1:30 pm. Hearing Rooms 1 and 2.

Mark Steward, Director Division of Youth Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 27, 1998, 8:00 am. Hearing Rooms 1 and 2.

Gary Stangler, Director DOSS. DOSS Divisions. Hearing will resume at 12:00pm.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 28, 1998, 8:00 am. Hearing Rooms 1 and 2.

DOSS Divisions. Hearing will resume at 12:00pm.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, January 29, 1998, 8:00 am. Hearing Rooms 1 and 2.

Dora Schriro, Director, Dept. of Corrections.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, January 28, 1998, 3:00 pm. Hearing Room 6. CORRECTED NOTICE

To be considered - HB 1058, HB 1059, HB 1189

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 28, 1998, 3:00 pm. Hearing Room 1. AMENDED NOTICE

Executive session to follow.

To be considered - HB 1066, HB 1089, HB 1100, HB 1101, HB 1115, HB 1121,HB 1129, HB 1180, HB 1065

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, January 27, 1998, 8:00 pm. Hearing Room 9.

To be considered - HB 1185, HB 1130, HB 1167

CRIMINAL LAW

Wednesday, January 28, 1998, 8:00 pm. Hearing Room 9.

To be considered - HB 931, HB 898, HB 1027, HB 979, HB 989, HB 1168, HB 900

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 27, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 955, HB 968, HB 962, HB 1200

ELECTIONS

Tuesday, January 27, 1998, 8:00 pm. Hearing Room 8.

To be considered - HB 893, HB 985, HB 942

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, January 26, 1998, 8:00 pm. Hearing Room 7.

To be considered - HB 1046

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, January 28, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 939, HB 927, HB 1120

INSURANCE

Tuesday, January 27, 1998, 8:00 am. Hearing Room 8.

To be considered - HB 1146, HB 1160, HB 1242, HB 1080

JOINT COMMITTEE ON VETERANS AFFAIRS

Tuesday, January 27, 1998, 5:00 pm. Senate Lounge.

Liberty memorial presentation. Mavo Agenda

JUDICIARY

Tuesday, January 27, 1998, 3:00 pm. Hearing Room 5.

To be considered - HB 935, HB 1195, HB 1051, HB 1106, HB 1208, HB 1226

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, January 27, 1998, 3:00 pm. Hearing Room 7.

To be considered - HB 914, HB 915, HB 965, HB 1029, HB 1077, HB 1193

PUBLIC HEALTH AND SAFETY

Tuesday, January 27, 1998, 3:00 pm. Hearing Room 9.

To be considered - HB 1070, HB 918, HB 1119

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, January 27, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 925, HB 1197, HB 1097, HB 1153

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, January 26, 1998, 8:00 pm. Hearing Room 9.

To be considered - HB 1105, HB 907, HB 942

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, January 26, 1998, 8:00 pm. Hearing Room 5.

Executive session to follow.

To be considered - HB 1133, HB 1154, HB 1166, HB 1196

HOUSE CALENDAR

Eleventh Day, Monday, January 26, 1998

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 44

HOUSE BILLS FOR SECOND READING

HB 1500 through HB 1553

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1014 -

Missouri House of Representatives

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House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives

RELATED LINKS
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Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
Frequently Requested Resources

Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

ELEVENTH DAY, Monday, January 26, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"My flesh may fail...but God is the strength of my heart." (Ps. 73:26).

What a week - the Pope in Cuba, the 25th anniversary of one of the most divisive decisions in our moral consciousness, the crisis surrounding the President and on the lighter side, the upset in the Super Bowl game, which of course was not on the lighter side for the Green Bay Packers. Our priorities as custodians of the First Amendment's guarantee of a free press (media in modern terms) may also be once again out of balance - some of those serious factual news stories were frankly dumped in favor of rumors which would have and will unfold in due time with respect to the other constitutional guarantees that we have, presumption of innocence and due process and the grand jury process.

Eternal God, on whose authority and power and forgiving spirit we rely, we pray today for all the persons in all of these issues. We pray especially that our leadership among the nations might be seen fairly and completely, all are treated equally, none are above the law. While we also have a guaranteed Bill of Rights, we also pray that integrity, decency and balance and fairness might more and more characterize our domestic issues especially with a view as to how they affect our role among the nations which have become a global village thanks to the gift and the dark side of media coverage. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensaton: Nathan Rowland, Michael Hoeh, Katie Kutz, Britney Weibrecht, Nathan Fritsche and Cindy Rhyne.

The Journal of the tenth day was approved as corrected by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland cLuckie Merideth Miller Monaco

Murphy Murray Naeger O'Connor Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 72 Townley

Treadway Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

ABSENT WITH LEAVE: 011

Clayton Ford Green Hall Hoppe

Nordwald O'Toole Rizzo Shear Thompson 37

Troupe

VACANCIES: 002

RESOLUTIONS

Representative Scott offered House Resolution No. 81, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 82 through House Resolution No. 86, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hollingsworth offered House Resolution No. 87, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 88, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Green, et al, offered House Resolution No. 89, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Green, offered House Resolution No. 90, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Long offered House Resolution No. 91 through House Resolution No. 93, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lawson offered House Resolution No. 94, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reynolds offered House Resolution No. 95 and House Resolution No. 96, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 97 through House Resolution No. 107, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 108 and House Resolution No. 109, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 110, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 44 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1500 through HB 1553 were read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1014 was read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 7 - Tourism, Recreation and Cultural Affairs

HCR 8 - State Parks, Natural Resources and Mining

HCR 9 - Transportation

HCR 10 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 35 - Correctional and State Institutions

HJR 36 - Ways and Means

HJR 37 - Elections

HJR 38 - Education - Elementary and Secondary

HJR 39 - Miscellaneous Bills and Resolutions

HJR 40 - Ways and Means

HJR 41 - Critical Issues

HJR 43 - Education - Elementary and Secondary

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 902 - Motor Vehicle and Traffic Regulations

HB 921 - Motor Vehicle and Traffic Regulations

HB 929 - Motor Vehicle and Traffic Regulations

HB 933 - Motor Vehicle and Traffic Regulations

HB 978 - Motor Vehicle and Traffic Regulations

HB 1054 - Motor Vehicle and Traffic Regulations

HB 1069 - Motor Vehicle and Traffic Regulations

HB 1123 - Ways and Means

HB 1038 - Labor

HB 1136 - Public Health and Safety

HB 1138 - Governmental Organization and Review

HB 1139 - Labor

HB 1176 - Motor Vehicle and Traffic Regulations

HB 1245 - Judiciary

HB 1246 - Motor Vehicle and Traffic Regulations

HB 1248 - Ways and Means

HB 1249 - Ways and Means

HB 1250 - Ways and Means

HB 1251 - Commerce

HB 1252 - Criminal law

HB 1253 - Motor Vehicle and Traffic Regulations

HB 1254 - Criminal Law

HB 1255 - Motor Vehicle and Traffic Regulations

HB 1256 - Ways and Means

HB 1257 - Public Health and Safety

HB 1258 - Children, Youth and Families

HB 1259 - Consumer Protection

HB 1260 - Federal-State Relations and Veterans Affairs

HB 1261 - Social Services, Medicaid and the Elderly

HB 1262 - Public Health and Safety

HB 1263 - Ways and Means

HB 1264 - Motor Vehicle and Traffic Regulations

HB 1265 - Education - Elementary and Secondary

HB 1266 - Ways and Means

HB 1267 - Local Government and Related Matters

HB 1269 - State Parks, Natural Resources and Mining

HB 1270 - Correctional and State Institutions

HB 1271 - Ways and Means

HB 1272 - Education - Elementary and Secondary

HB 1273 - Elections

HB 1274 - Children, Youth and Families

HB 1275 - Ways and Means

HB 1276 - Judiciary

HB 1277 - Criminal Law

HB 1278 - Insurance

HB 1279 - Ways and Means

HB 1280 - Motor Vehicle and Traffic Regulations

HB 1281 - Education - Elementary and Secondary

HB 1282 - Motor Vehicle and Traffic Regulations

HB 1283 - Critical Issues

HB 1284 - Civil and Administrative Law

HB 1285 - Criminal Law

HB 1286 - Criminal Law

HB 1287 - Criminal Law

HB 1288 - Criminal Law

HB 1289 - Criminal Law

HB 1290 - Utilities Regulation

HB 1291 - Judiciary

HB 1292 - Miscellaneous Bills and Resolutions

HB 1293 - Local Government and Related Matters

HB 1295 - Retirement

HB 1296 - Children, Youth and Families

HB 1298 - Professional Registration and Licensing

HB 1299 - Retirement

HB 1300 - Motor Vehicle and Traffic Regulations

HB 1301 - Ways and Means

HB 1302 - Public Health and Safety

HB 1304 - Local Government and Related Matters

HB 1305 - Ways and Means

HB 1306 - Local Government and Related Matters

HB 1307 - Elections

HB 1308 - Municipal Corporations

HB 1309 - Judiciary

HB 1310 - Children, Youth and Families

HB 1311 - Professional Registration and Licensing

HB 1312 - Professional Registration and Licensing

HB 1313 - Agri-Business

HB 1314 - Environment and Energy

HB 1315 - Public Health and Safety

HB 1316 - Insurance

HB 1317 - Motor Vehicle and Traffic Regulations

HB 1318 - Education - Elementary and Secondary

HB 1319 - Education - Elementary and Secondary

HB 1320 - Education - Elementary and Secondary

HB 1321 - Judiciary

HB 1322 - Critical Issues

HB 1323 - Consumer Protection

HB 1324 - Ways and Means

HB 1325 - Education - Higher

HB 1326 - Local Government and Related Matters

HB 1327 - Social Services, Medicaid and the Elderly

HB 1328 - Professional Registration and Licensing

HB 1329 - Local Government and Related Matters

HB 1330 - Transportation

HB 1331 - Ways and Means

HB 1333 - Judiciary

HB 1334 - Ways and Means

HB 1336 - Workers Compensation and Employment Security

HB 1338 - Ways and Means

HB 1339 - Ways and Means

HB 1340 - Ways and Means

HB 1341 - Environment and Energy

HB 1342 - Transportation

HB 1343 - Ways and Means

HB 1344 - Education - Elementary and Secondary

HB 1345 - Judiciary

HB 1346 - Labor

HB 1347 - Education - Higher

HB 1348 - Agriculture

HB 1349 - Criminal Law

HB 1350 - Criminal Law

HB 1351 - Ways and Means

HB 1352 - Local Government and Related Matters

HB 1353 - Local Government and Related Matters

HB 1354 - Civil and Administrative Law

HB 1355 - Civil and Administrative Law

HB 1357 - Criminal Law

HB 1358 - Criminal Law

HB 1359 - Criminal Law

HB 1360 - Public Health and Safety

HB 1361 - Professional Registration and Licensing

HB 1362 - Ways and Means

HB 1363 - Education - Higher

HB 1364 - Elections

HB 1365 - Judiciary

HB 1366 - Civil and Administrative Law

HB 1367 - Transportation

HB 1368 - Judiciary

HB 1369 - Judiciary

HB 1370 - Criminal Law

HB 1372 - Correctional and State Institutions

HB 1373 - Judiciary

HB 1374 - Insurance

HB 1375 - Judiciary

HB 1376 - Environment and Energy

HB 1378 - Motor Vehicle and Traffic Regulations

HB 1379 - Civil and Administrative Law

HB 1381 - Elections

HB 1382 - Ways and Means

HB 1383 - Insurance

HB 1384 - Retirement

HB 1385 - Local Government and Related Matters

HB 1386 - Ways and Means

HB 1387 - Judiciary

HB 1388 - Criminal Law

HB 1389 - Critical Issues

HB 1390 - Environment and Energy

HB 1392 - Local Government and Related Matters

HB 1394 - Environment and Energy

HB 1395 - Public Health and Safety

HB 1396 - Insurance

HB 1397 - Public Health and Safety

HB 1398 - Critical Issues

HB 1399 - Judiciary

HB 1400 - Labor

HB 1473 - Local Government and Related Matters

HB 1478 - Public Health and Safety

REFERRAL OF HOUSE BILL - APPROPRIATIONS

The following House Bill was referred to the Committee indicated:

HB 1014 - Budget

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1554, introduced by Representative Alter, et al, relating to motor vehicles.

HB 1555, introduced by Representative Scott, relating to school buses.

HB 1556, introduced by Representative Dougherty, relating to the child protection system established by the division of family services.

HB 1557, introduced by Representative Bauer, relating to tobacco.

HB 1558, introduced by Representative Treadway, relating to the division of professional registration.

HB 1559, introduced by Representative Treadway, relating to inadequate and deficient housing.

HB 1560, introduced by Representative Cooper, relating to intermediate care and skilled nursing facilities.

HB 1561, introduced by Representative Cooper, relating to transportation development districts.

HB 1562, introduced by Representatives Relford and Fritts, relating to the highway patrol.

HB 1563, introduced by Representatives Scott, Marble and Hartzler (124), relating to taxation.

HB 1564, introduced by Representatives Relford and Wiggins, relating to the authorization of additional state bonds.

HB 1565, introduced by Representative Gunn, et al, relating to the administration of insurance receiverships.

HB 1566, introduced by Representative Johnson, et al, relating to drug dealer liability.

COMMITTEE CHANGES

The Speaker submitted the following Committee Changes:

Representative Griesheimer has been appointed a member of the Joint Committee on Legislative Research.

Representative Koller has been appointed a member of the Joint Committee on Legislative Research.

Representative Davis (63) is no longer a member of the Education - Higher Committee.

Representative Days has been appointed a member of the Education - Higher Committee.

Representative Harlan has been appointed a member of the Joint Committee on Capital Improvements.

Representative Seigfreid has been appointed Vice Chair of the Elections Committee.

The following member's presence was noted: Nordwald.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, January 27, 1998.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Tenth Day, Thursday, January 22, 1998, pages 127 and 128, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 28, 1998, 3:00 pm. Hearing Room 9.

Possible executive session.

To be considered - HB 950, HB 1075

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, January 27, 1998, 10:45 am. Hearing Room 7.

Dept. of Public Safety.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, January 28, 1998, 10:45 am. Hearing Room 7.

Dept. of Higher Education.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, January 29, 1998, 10:45 am. Hearing Room 7.

Dept. of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 28, 1998. Hearing Room 9 upon morning adjournment.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 27, 1998, 12:00 pm. Hearing Room 8. Depts. of Agriculture, Conservation, Insurance and Labor and Industrial Relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 28, 1998, 12:00 pm. Hearing Room 8. Department of Natural Resources. Dept.of Economic Development. AMENDED NOTICE

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, January 29, 1998. Hearing Room 8 immediately upon adjournment. Department of Economic Resources. CANCELLED

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 27, 1998, 8:00 am. Hearing Rooms 1 and 2.

Gary Stangler, Director, DOSS. DOSS Divisions. Hearing will resume at 12:00 pm.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 28, 1998, 8:00 am. Hearing Rooms 1 and 2.

DOSS Divisions. Hearing will resume at 12:00 pm.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, January 29, 1998, 8:00 am. Hearing Rooms 1 and 2.

Dora Schriro, Director, Dept. of Corrections.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, January 28, 1998, 3:00 pm. Hearing Room 6. CORRECTED NOTICE

To be considered - HB 1058, HB 1059, HB 1189

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 28, 1998, 7:30 pm. Hearing Room 8.

To be considered - HB 1258, HB 972, HB 1310

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 28, 1998, 3:00 pm. Hearing Room 1. AMENDED NOTICE

To be considered - HB 1066, HB 1089, HB 1100, HB 1101, HB 1115, HB 1121, HB 1129, HB 1180, HB 1065

CONSUMER PROTECTION

Tuesday, January 27, 1998, 8:00 pm. Hearing Room 7.

To be considered - HB 1323, HB 924

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, January 27, 1998, 8:00 pm. Hearing Room 9.

To be considered - HB 1185, HB 1130, HB 1167

CRIMINAL LAW

Wednesday, January 28, 1998, 8:00 pm. Hearing Room 9.

To be considered - HB 931, HB 898, HB 1027, HB 979, HB 989, HB 1168, HB 900

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 27, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 955, HB 968, HB 962, HB 1200

ELECTIONS

Tuesday, January 27, 1998, 8:00 pm. Hearing Room 8.

To be considered - HB 893, HB 985, HB 942

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, January 28, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 939, HB 927, HB 1120

INSURANCE

Tuesday, January 27, 1998, 8:00 am. Hearing Room 8.

To be considered - HB 1146, HB 1160, HB 1242, HB 1080

JOINT COMMITTEE ON VETERANS AFFAIRS

Tuesday, January 27, 1998, 5:00 pm. Senate Lounge.

Liberty memorial presentation. Mavo Agenda

JUDICIARY

Tuesday, January 27, 1998, 3:00 pm. Hearing Room 5.

To be considered - HB 935, HB 1195, HB 1051, HB 1106, HB 1208, HB 1226

LABOR

Tuesday, January 27, 1998, 8:00 pm. Hearing Room 6.

To be considered - HB 1038

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, January 27, 1998, 3:00 pm. Hearing Rooms 1 and 2.

Executive session may follow.

To be considered - HB 1113, HB 1057, HB 1241, HB 1473

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 28, 1998, 8:45 am. Hearing Room 6.

To be considered - HR 38, HCR 10, HJR 39, HB 1292, HB 1157

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, January 27, 1998, 3:00 pm. Hearing Room 7.

To be considered - HB 914, HB 915, HB 965, HB 1029, HB 1077, HB 1193

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, January 28, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 996, HB 1034, HB 1298, HB 1411, HB 1462

PUBLIC HEALTH AND SAFETY

Tuesday, January 27, 1998, 3:00 pm. Hearing Room 9. AMENDED NOTICE #2

To be considered - HB 1070, HB 918, HB 1478, HB 1119

RETIREMENT

Wednesday, January 28, 1998, 8:00 pm. Hearing Room 7. AMENDED NOTICE.

Executive session to follow.

To be considered - HB 1384, HB 1033, HB 954, HB 982, HB 1041

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, January 27, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 925, HB 1197, HB 1097, HB 1153

WAYS AND MEANS

Tuesday, January 27, 1998, 3:00 pm. Hearing Room 6.

Presentation by State Tax Commission.

To be considered - HB 1206, HB 983, HB 1184, HB 1343

HOUSE CALENDAR

Twelfth Day, Tuesday, January 27, 1998

HOUSE BILLS FOR SECOND READING

HB 1554 through HB 1566

House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives

RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
Frequently Requested Resources

Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

TWELFTH DAY, Tuesday, January 27, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"There will be glory, honor, and peace for everyone who has done good." (Rom. 2:10).

This evening we will listen to or watch the State of the Union message from the President. Prurient interest, once again unfortunately, is expected to increase the audience. It is ever thus that the important things do not receive as much of our attention, or as some wise person put it, small minds talk about people, big minds talk about ideas.

Eternal God, whose presence and authority are recognized in the Preamble to the U.S. and Missouri Constitution, this morning, we add our prayers to those of the thoughtful ones who are praying for the nation at this time. We pray that out of the evil, good might come. We pray for whatever adjustment, change, or holding fast we need to do in the Union, and whatever is needed to correspond in this Capitol Building during this session. We rejoice in the separation of powers, messy as that system sometimes gets, and we ask for an openness that after the partisanship and the ideological differences and the separate powers and party loyalties are heard and debated and honored, the Union may be stronger and our citizens more involved and justice may be done. Our prayer, gracious God, is that Your power, Your sovereignty, Your agenda and Your justice might be what guides us as we go about the human business of sorting it out. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eleventh day was approved as corrected by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Edwards-Pavia O'Toole Rizzo Shear Williams 121

VACANCIES: 002

RESOLUTIONS

Representative Lograsso offered House Resolution No. 111, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Lograsso and Ross offered House Resolution No. 112 through House Resolution No. 114, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (123) offered House Resolution No. 115, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Klindt offered House Resolution No. 116, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Farnen and Lakin offered House Resolution No. 117.

Representative Kelly (27), Lawson and Shields offered House Resolution No. 118, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Holand offered House Resolution No. 119 through House Resolution No. 121, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Monaco offered House Resolution No. 122, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ransdall offered House Resolution No. 123, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Donovan, et al, offered House Resolution No. 124, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Edwards-Pavia, et al, offered House Concurrent Resolution No. 11.

SECOND READING OF HOUSE BILLS

HB 1554 through HB 1566 were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 966 - Civil and Administrative Law

HB 967 - Civil and Administrative Law

HB 1511 - Transportation

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1567, introduced by Representative Bray, et al, relating to limitation of liability for official student publications.

HB 1568, introduced by Representative Hosmer, relating to tax relief.

HB 1569, introduced by Representative Seigfreid, relating to corporations.

HB 1570, introduced by Representative Shields, relating to sales taxation.

HB 1571, introduced by Representative Monaco, relating to the standard fiduciaries are to follow in making investments.

HB 1572, introduced by Representative Monaco, relating to the authority of adult protectees to disclaim certain donative transfers.

HB 1573, introduced by Representative Monaco, relating to court clerks.

HB 1574, introduced by Representatives Naeger, Richardson and Cierpiot, et al, relating to the Missouri operation: safe neighborhoods program.

HB 1575, introduced by Representative Parker, relating to criminal competency.

HB 1576, introduced by Representative Foley, relating to ambulance service.

HB 1577, introduced by Representative Steen, relating to inspection of concentrated animal feeding operations.

HB 1578, introduced by Representative Hilgemann, relating to metropolitan park and museum district.

HB 1579, introduced by Representative May (108), et al, relating to the fireman's rule.

HB 1580, introduced by Representative Graham (24), relating to concentrated animal feeding operations.

HB 1581, introduced by Representatives Campbell and May (108), relating to crimes involving juveniles.

HB 1582, introduced by Representative McBride, relating to the regulation and licensing of respiratory care.

HB 1583, introduced by Representative Skaggs, relating to the public school retirement systems.

HB 1584, introduced by Representative Schilling, relating to health care for persons infected with the human immunodeficiency virus.

HB 1585, introduced by Representatives Smith and Elliott, relating to firearms.

HB 1586, introduced by Representative Hosmer, relating to county legal representation.

HB 1587, introduced by Representatives Luetkenhaus and Ostmann, relating to local tourism taxes of municipalities and other political subdivisions.

HB 1588, introduced by Representative Luetkenhaus, relating to the fire education trust fund.

WITHDRAWAL OF HOUSE BILLS

January 27, 1998

Steve Gaw, Speaker

State Capitol Building

Jefferson City, MO 65101

Dear Mr. Speaker:

After discussing HB 1057 with my police chief and city manager, I have decided that this bill is not necessary. Rather than taking up the committee's precious time, I have decided to withdraw the bill.

Sincerely,

/s/ Randall Relford

Sixth District

January 28, 1998

The Honorable Steve Gaw

Speaker, House of Representatives

House of Representatives

Dear Mr. Speaker:

I would like to respectfully request that House Bill 1039 be withdrawn from consideration. Thank you.

Sincerely,

/s/ Jim Seigfreid

The following member's presence was noted: Rizzo.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, January 28, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventh Day, Monday, January 19, 1998, Page 94, Line 39, by deleting the following: "HJR 29 - Judiciary".

Correct House Journal, Eleventh Day, Monday, January 26, 1998, Pages 135 and 136, roll call, Line 6, by deleting the name "cLuckie" and inserting in lieu thereof the name "McLuckie".

Page 137, by inserting after line 29, the following:

HB 983 - Ways and Means

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 28, 1998, 3:00 pm. Hearing Room 9.

Possible executive session.

To be considered - HB 950, HB 1075

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, January 28, 1998, 10:45 am. Hearing Room 7.

Dept. of Higher Education.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, January 29, 1998, 10:45 am. Hearing Room 7.

Dept. of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 28, 1998. Hearing Room 9 upon morning adjournment.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 28, 1998, 12:00 pm. Hearing Room 8.

Department of Natural Resources. Dept.of Economic Development. AMENDED NOTICE

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, January 29, 1998. Hearing Room 8 immediately upon adjournment.

Department of Economic Resources. CANCELLED

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 28, 1998, 8:00 am. Hearing Rooms 1 and 2.

DOSS Divisions. Hearing will resume at 12:00 pm.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, January 29, 1998, 8:00 am. Hearing Rooms 1 and 2.

Dora Schriro, Director, Dept. of Corrections.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, January 28, 1998, 3:00 pm. Hearing Room 6. CORRECTED NOTICE

To be considered - HB 1058, HB 1059, HB 1189

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 28, 1998, 7:30 pm. Hearing Room 8.

To be considered - HB 1258, HB 972, HB 1310

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 28, 1998, 3:00 pm. Hearing Room 1. AMENDED NOTICE

To be considered - HB 1066, HB 1089, HB 1100, HB 1101, HB 1115, HB 1121,

HB 1129, HB 1180, HB 1065

CRIMINAL LAW

Wednesday, January 28, 1998, 8:00 pm. Hearing Room 9. AMENDED NOTICE

To be considered - HB 931, HB 898, HB 979, HB 989, HB 1168, HB 900, HB 1254

EDUCATION - HIGHER

Wednesday, January 28, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1363, HB 906, HB 1325, HB 1347

ENVIRONMENT AND ENERGY

Thursday, January 29, 1998, 8:30 am. Hearing Room 6.

Executive session may follow. CORRECTED NOTICE

To be considered - HB 1104, HB 1314, HB 1035

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, January 28, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 939, HB 927, HB 1120

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 28, 1998, 8:45 am. Hearing Room 6.

To be considered - HR 38, HCR 10, HJR 39, HB 1292, HB 1157

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, January 28, 1998, 8:00 pm. Hearing Room 5. AMENDED NOTICE

To be considered - HB 996, HB 1034, HB 1298, HB 1411

RETIREMENT

Wednesday, January 28, 1998, 8:00 pm. Hearing Room 7. AMENDED NOTICE.

Executive session to follow.

To be considered - HB 1384, HB 1033, HB 954, HB 982, HB 1041

TRANSPORTATION

Wednesday, January 28, 1998, 3:00 pm. Hearing Room 5.

To be considered - HB 1227, HB 1330, HB 1511

UTILITIES REGULATION

Thursday, January 29, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1144

HOUSE CALENDAR

Thirteenth Day, Wednesday, January 28, 1998

HOUSE BILLS FOR SECOND READING

HB 1567 through HB 1588

House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives

RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
Frequently Requested Resources

Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

THIRTEENTH DAY, Wednesday, January 28, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Gracious and Forgiving God, we pray today for this country, this state, and the people who have committed themselves to it; for our President and his family; for the families of all those whose lives have been turned to the public eye. We pray for all whose position and authority place them in the reality of public scrutiny, including each member of this House. Remind us, O Lord, that none of us are without fault. We've all made poor choices; we've all made bad judgment calls; and we all stand in need of your forgiveness. Remind us also that only those who are without sin have been invited to throw stones.

As these representatives face the issues of state business - dealing with the number crunching of budgets, the importance of changes and improvements to our educational system, and the everyday oversight of administration, give them the insight to deal with the business at hand, to put aside pettiness and personal agenda; to set aside popular opinion polls and greasing the squeakiest wheel, and to get down to what it takes to see that the needs of people of Missouri are tended to with justice and expediency. Bless us and our efforts in Your name, O God. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twelfth day was approved as printed by the following vote:

AYES: 158

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Bland Boatright Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bonner Edwards-Pavia O'Toole

VACANCIES: 002

RESOLUTIONS

Representative Heckemeyer offered House Resolution No. 125, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Fritts offered House Resolution No. 126, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 127 and House Resolution 128, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Summers offered House Resolution No. 129, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 130.

Representatives Bennett, Ostmann and Chrismer offered House Resolution No. 131 through House Resolution No. 133, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution No. 134, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1567 through HB 1588 were read the second time.

COMMITTEE REPORT

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred House Resolution No. 68 through House Resolution No. 116, and House Resolution No. 118 through House Resolution No. 124, begs leave to report it has examined the same and recommends that they Do Pass.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1412 - Critical Issues

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted SCR 31:

SENATE CONCURRENT RESOLUTION NO. 31

An act by concurrent resolution and pursuant to Article IV, Section 8, to repeal 10 CSR 80-2.013 relating to requirements for an application for a solid waste disposal facility permit.

WHEREAS, The Department of Natural Resources filed notice of proposed rulemaking for 10 CSR 80-2.013 on October 10, 1996, and filed the order of rulemaking with the Committee on Administrative Rules on March 24, 1997 with notice of intent to file with the Secretary of State on April 23, 1997; and

WHEREAS, the proposed rule requires an applicant for a solid waste disposal permit to conduct two separate public meetings known as "public awareness and community involvement sessions" at an estimated cost of $10,000 to the applicant; and

WHEREAS, Sections 260.200 to 260.241, RSMo, specifies the requirements for an application for a permit which not only does not require the applicant to conduct public meetings, but rather requires the Department to hold

such public hearings; and

WHEREAS, the sole authority delegated to the Department to promulgate and adopt rules and regulations is specifically limited in Section 260.225.1.(3), RSMo, to "such rules and regulations relating to solid waste management systems", 10 CSR 80-2.013 relates to the permit application process rather than to solid waste management systems; and

WHEREAS, the General Assembly has not delegated any rulemaking authority to the Department concerning the requirements for the application for a permit, but rather, the General Assembly has preempted the requirements for the application process which does not include the holding of public sessions and the attendant cost related thereto; and

WHEREAS, 10 CSR 80-2.013 may be published by the Secretary of State on or after January 22, 1998; and

WHEREAS, Executive Order 97-97 provides that Executive Departments shall give force and effect to concurrent resolutions; and

WHEREAS, the Joint Committee on Administrative Rules has found that the Department has exceeded its rulemaking authority and recommends that the General Assembly act to permanently suspend and/or revoke 10 CSR 80-2.013:

NOW THEREFORE, the General Assembly finds that:

1. 10 CSR 80-2.013 relates to the permit application process and purports to add additional requirements that are not provided in Sections 260.200 to 260.241, RSMo; and

2. The General Assembly has preempted the application process and has specified all of the requirements for obtaining a permit in Section 260.205, RSMo; and

3. The Department has no authority to increase the requirements for obtaining a permit; and

4. Section 260.225, RSMo, limits the authority of the Department to issue rules to those rules related to the solid waste management systems and no authority has been delegated to the department to issue rules which create additional, substantive requirements necessary to apply for a permit.

NOW THEREFORE, the eighty-ninth General Assembly, upon concurrence of a majority of the elected members of the Senate and a majority of the elected members of the House of Representatives, hereby permanently revokes 10 CSR 80-2.013; and

BE IT FURTHER RESOLVED that a copy of the foregoing be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the revocation upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the Eighty-ninth General Assembly, Second Regular Session, after veto by the Governor as provided in Article III, Sections 31 and 32, and Article IV, Section 8 of the Missouri Constitution; and

FURTHER, that a properly inscribed copy be presented to the Governor in accordance with Article IV, Section 8 of the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 45, introduced by Representatives McClelland and Harlan, relating to local regulation of outdoor advertising.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1589, introduced by Representative Koller, relating to the sale of temporary motor vehicle and trailer permits to nonresident purchasers.

HB 1590, introduced by Representatives Scheve and McClelland, et al, relating to certain home improvement loans for senior citizens.

HB 1591, introduced by Representative Treadway, relating to real estate appraisers.

HB 1592, introduced by Representative Treadway, relating to real estate appraisers.

HB 1593, introduced by Representative Schilling, relating to the restraint of dogs in certain counties.

HB 1594, introduced by Representative Schilling, relating to powers of cities and certain counties to regulate or prohibit fireworks.

HB 1595, introduced by Representatives Scheve and McClelland, relating to student records.

HB 1596, introduced by Representative Leake, relating to the preservation of corridors for future state highway construction.

HB 1597, introduced by Representative Murphy, relating to the licensing of architects.

HB 1598, introduced by Representative Clayton, relating to the establishment of statewide drug courts.

HB 1599, introduced by Representative Clayton, relating to the county employees' retirement system.

HB 1600, introduced by Representatives Williams (159) and Legan, relating to the commercial feed law.

HB 1601, introduced by Representative Treadway, relating to the division of professional registration.

HB 1602, introduced by Representative Crump, relating to the school calendar.

HB 1603, introduced by Representative Champion, et al, relating to detailed base budgeting for state departments.

HB 1604, introduced by Representative Hegeman, relating to school finance definitions.

HB 1605, introduced by Representatives Hegeman and Relford, et al, relating to prosecuting attorneys.

HB 1606, introduced by Representative Reynolds, relating to the sale of mortgages and deeds of trust.

HB 1607, introduced by Representative Richardson, relating to retirement benefits for officers and employees of political subdivisions.

HB 1608, introduced by Representative Shelton (57), et al, relating to projects not to include single-family dwelling and other excluded structures.

HB 1609, introduced by Representative Shelton (57), et al, relating to the police force in certain cities.

HB 1610, introduced by Representatives Summers and DeMarce, relating to peace officer certification.

HB 1611, introduced by Representative Scott, et al, relating to income tax credits.

HB 1612, introduced by Representative Shields, et al, relating to charter schools.

HB 1613, introduced by Representatives Cierpiot and Naeger, et al, relating to drug trafficking.

HB 1614, introduced by Representative Kelley (47), et al, relating to requiring the courts of this state to apply the doctrine of forum nonconveniens in civil cases.

HB 1615, introduced by Representative Stoll, et al, relating to regulation and registration of interior designers.

HB 1616, introduced by Representative Bland, relating to jury service.

WITHDRAWAL OF HOUSE BILL

January 27, 1998

Hon. Steve Gaw, Speaker

House of Representatives

Capitol Building

Jefferson City, MO 65101

Dear Mr. Speaker:

I hereby request that House Bill 1558 be WITHDRAWN.

Sincerely,

/s/ Joe Treadway

The following member's presence was noted: Bonner.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, January 29, 1998.

COMMITTEE MEETINGS

AGRI-BUSINESS

Monday, February 2, 1998, 8:00 pm. Hearing Room 8.

To be considered - HB 970, HB 1240, HB 1313

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, January 29, 1998, 10:45 am. Hearing Room 7.

Dept. of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 2, 1998, 1:00 pm. Hearing Room 9.

Mark up on HB 1001, 1004, 1005 and 1012.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 3, 1998. Hearing Room 9 upon morning adjournment.

Mark up on HB 1001, 1004, 1005 and 1012.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 4, 1998. Hearing Room 9 upon morning adjournment.

Mark up on HB 1001, 1004, 1005 and 1012.

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 5, 1998. Hearing Room 9 upon morning adjournment.

If necessary mark up on HB 1001, 1004, 1005 and 1012.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, January 29, 1998. Hearing Room 8 immediately upon adjournment.

Department of Economic Resources. CANCELLED

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, January 29, 1998, 8:00 am. Hearing Rooms 1 and 2.

Dora Schriro, Director, Dept. of Corrections.

BUDGET

Tuesday, February 3, 1998, 8:30 am. Hearing Room 6.

To be considered - HJR 31, HB 1014

COMMERCE

Thursday, January 29, 1998, 9:00 am. Hearing Room 5.

Executive session may follow.

To be considered - HB 1148

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 3, 1998, 8:00 pm. Hearing Room 9. Executive session.

To be considered - HB 905, HB 1056, HB 1372, HJR 35

ELECTIONS

Tuesday, February 3, 1998, 7:30 pm. Hearing Room 8. Possible executive session.

To be considered - HB 1273, HB 1381, HB 1217, HB 1181

ENVIRONMENT AND ENERGY

Thursday, January 29, 1998, 8:30 am. Hearing Room 6. Executive session may follow.

CORRECTED NOTICE

To be considered - HB 1104, HB 1314, HB 1035

ETHICS

Thursday, January 29, 1998. Side gallery immediately upon adjournment.

Approval Black Caucus.

URBAN AFFAIRS

Thursday, January 29, 1998. Hearing Room 6. Hearing immediately upon morning adjournment. Executive session may follow.

To be considered - HB 1091

UTILITIES REGULATION

Thursday, January 29, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1144

HOUSE CALENDAR

Fourteenth Day, Thursday, January 29, 1998

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 45

HOUSE BILLS FOR SECOND READING

HB 1589 through HB 1616

COURTESY RESOLUTIONS

HR 68 - Fritts

HR 69 - Riback Wilson

HR 70 - Boatright

HR 71 - Thompson (72)

HR 72 - Naeger

HR 73 - Campbell

HR 74 - Monaco

HR 75 - DeMarce

HR 76 and HR 77 - Elliott

HR 78 - Gibbons

HR 79 - Ross

HR 80 - McLuckie

HR 81 - Scott

HR 82 through HR 86 - Williams (121)

HR 87 - Hollingsworth

HR 88 - Vogel

HR 89 and HR 90 - Green

HR 91 through HR 93 - Long

HR 94 - Lawson

HR 95 and HR 96 - Reynolds

HR 97 through HR 107 - Williams (121)

HR 108 and HR 109 - Backer

HR 110 - Boucher

HR 111 through HR 114 - Lograsso

HR 115 - Hartzler

HR 116 - Klindt

HR 118 - Kelly (27)

HR 119 through HR 121 - Holand

HR 122 - Monaco

HR 123 - Ransdall

HR 124 - Donovan

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House Journal

Second Regular Session, 89th General Assembly

FOURTEENTH DAY, Thursday, January 29, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

O God, wise and holy One, we pray for the people of these United States, and the people of the great state of Missouri. We pray for the elected and appointed officials who serve the people. As we stand in this place, let us feel Your hand moving and guiding us to do justice, to love mercy and to walk humbly with You throughout the hours of this day.

Help us to be more caring toward those we find it far easier to hate; help us to be more loving to those whom we regard as unlovable; and to extend our efforts for those we deem not worth the effort. If we are to learn anything in this life, let us learn love. And since we know we will be criticized, let it be for doing too much or too little, rather than for doing nothing.

Help us too, O God, to be discerning - not allowing ourselves to be swayed by untruths or misinformation. May we recognize when to speak out and when to stay silent - so that the words we DO speak are spoken with sincerity and honesty. In all things may we strive to be faithful - first and foremost to You, and then to the people whom we serve. Hear our prayer, O God, who is over and above, and in all things. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jordan Parshall, Emily Roberts, Gregory Tinkle and Molly Winkelman.

The Journal of the thirteenth day was approved as printed by the following vote:

AYES: 158

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Edwards-Pavia O'Toole Shear

VACANCIES: 002

RESOLUTIONS

Representatives Schwab and Kasten offered House Resolution No. 135, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gibbons and Secrest offered House Resolution No. 136 through House Resolution No. 138, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 139, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gibbons and Secrest offered House Resolution No. 140, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Barnett offered House Resolution No. 141, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shields offered House Resolution No. 142 and House Resolution No. 143, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith offered House Resolution No. 144 and House Resolution No. 145, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaston offered House Resolution No. 146, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Thompson (37) offered House Resolution No. 147, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pryor offered House Resolution No. 148, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Griesheimer offered House Resolution No. 149, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Holand, et al, offered House Concurrent Resolution No. 12.

COURTESY RESOLUTIONS

House Resolution No. 68 through House Resolution No. 116 and House Resolution No. 118 through House Resolution No. 124 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution No. 68 through House Resolution No. 116 and House Resolution No. 118 through House Resolution No. 124 were adopted.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 45 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1589 through HB 1616 were read the second time.

COMMITTEE REPORTS

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred HB 1161, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred The 1998 Black Caucus, begs leave to report it has examined the same and approves it pursuant to 105.470(2)(c)d.

To: Representative Robert Clayton, Chairman

Judiciary & Ethics Committee

From: Representative Vernon Thompson, Chairman

Missouri Legislative Black Caucus

Date: January 6, 1998

Re: Missouri Legislative Black Caucus

In accordance with Section 195.407 and the rules of the Missouri House of Representatives, a listing of the members of the 89th General Assembly's House of Representatives' Missouri Legislative Black Caucus is attached.

Consider this letter a formal application to the Committee on Judiciary and Ethics to renew this caucus, the commonality of interest, the advantages of forming this caucus, and the regularity of our meetings.

Please contact me at (573) 751-1309, if you have any questions concerning this caucus organization. I shall serve as the designated member to present this caucus to the committee.

Members of the Missouri Legislative Black Caucus

Officers

/s/ Rep. Vernon Thompson, Chairman D-37 /s/ Rep. Russell Gunn, Vice Chairman D-70

/s/ Rep. Rita Days, Treasurer D-71 /s/ Rep. Mary Groves Bland D-43

Members

/s/ Sen. J.B. "Jet" Banks, D-5 /s/ Sen. William L. Clay, Jr., D-4

/s/ Sen. Phil B. Curls, Sr., D-9 /s/ Rep. Paula J. Carter, D-61

/s/ Rep. Lloyd Daniel, D-42 /s/ Rep. Fletcher Daniels, D-41

/s/ Rep. Louis Ford, D-58 /s/ Rep. Carson Ross, R-55

/s/ Rep. O.L. Shelton, D-57 /s/ Rep. Betty Thompson, D-72

/s/ Rep. Charles Q. Troupe, D-62

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1469 - Education - Elementary and Secondary

HB 1519 - Federal-State Relations and Veterans Affairs

HB 1546 - Ways and Means

HB 1608 - Municipal Corporations

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 46, introduced by Representative Reynolds, et al, relating to the prohibition of public aid for religious purposes and institutions.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 1001, introduced by Representative Franklin, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bonds and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Fourth State Building Fund, and to transfer money among certain funds for the period beginning July 1, 1998 and ending June 30, 1999.

HB 1013, introduced by Representative Franklin, to appropriate money for real property leases, related services, utilities, systems furniture; and structural modifications for new FTE for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds, for the period beginning July 1, 1998, and ending June 30, 1999.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1617, introduced by Representative Burton, relating to utility deregulation.

HB 1618, introduced by Representative Williams (121), et al, relating to removing the sunset provision of the motorcycle safety education program.

HB 1619, introduced by Representative Foley, relating to school districts.

HB 1620, introduced by Representatives Overschmidt, Daniel (42) and Leake, relating to the division of tourism.

HB 1621, introduced by Representative Howerton, et al, relating to certain motor vehicle equipment.

HB 1622, introduced by Representative Fritts, relating to public water supply districts.

HB 1623, introduced by Representative Lograsso, et al, relating to certification of teachers.

HB 1624, introduced by Representative Surface, et al, relating to combat infantryman special license plates.

HB 1625, introduced by Representative Surface, et al, relating to eligibility for public assistance.

HB 1626, introduced by Representative Thomason (163), relating to motor vehicles.

HB 1627, introduced by Representative Green, relating to educational sessions for parties to actions for dissolution of marriage.

HB 1628, introduced by Representative Seigfreid, relating to elections.

HB 1629, introduced by Representatives Williams (121) and Sallee, et al, relating to distribution and sale of over-the-counter weight loss pills to minors.

HB 1630, introduced by Representative Kreider, relating to fire protection district audits.

HB 1631, introduced by Representative Levin, relating to scenic byways.

HB 1632, introduced by Representatives McLuckie and Davis (63), relating to when a child is eligible to start school.

HB 1633, introduced by Representatives May (108) and Ross, et al, relating to drug courts.

HB 1634, introduced by Representative May (108), relating to unlawful employment practices.

HB 1635, introduced by Representatives Bennett (15), Kissell and Gross, relating to higher education.

HB 1636, introduced by Representative Hoppe, relating to community improvement districts.

HB 1637, introduced by Representatives Hartzler (124), Kelly (27) and Parker, relating to adoption.

HB 1638, introduced by Representatives Kelley (47) and Legan, et al, relating to health insurance for children to be funded by a tobacco settlement.

HB 1639, introduced by Representative Kissell, et al, relating to airport expansion.

HB 1640, introduced by Representative Bray, relating to tax relief.

HB 1641, introduced by Representative Sallee, relating to state emblems.

WITHDRAWAL OF HOUSE BILL

January 29, 1998

The Honorable Steve Gaw

Speaker of the House

State Capitol - Rm. 308

Jefferson City, MO 65101

Dear Steve,

Effective today, January 29, 1998 I'm withdrawing my bill, House Bill 1423. The bill relates to motor fuel taxation. Thank you.

Sincerely,

/s/ Jewell D. H. Patek

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, February 2, 1998.

COMMITTEE MEETINGS

AGRI-BUSINESS

Monday, February 2, 1998, 8:00 pm. Hearing Room 8.

To be considered - HB 970, HB 1240, HB 1313

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Monday, February 2, 1998, 1:30 pm. Hearing Room 7. RTEC's and workforce prep.

Public Defender

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, February 3, 1998, 10:45 am. Hearing Room 7. Judiciary

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 4, 1998, 10:45 am. Hearing Room 7.

Dept. of Elementary and Secondary Education.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, February 5, 1998, 10:45 am. Hearing Room 7.

Dept. of Elementary and Secondary Education if necessary.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 2, 1998, 1:00 pm. Hearing Room 9.

Mark up on HB 1001,1004, 1005 and 1012. CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 3, 1998. Hearing Room 9 upon morning adjournment.

Mark up on HB 1001, 1004, 1005 and 1012.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 4, 1998. Hearing Room 9 upon morning adjournment.

Mark up on HB 1001, 1004, 1005 and 1012.

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 5, 1998. Hearing Room 9 upon morning adjournment.

If necessary mark up on HB 1001, 1004, 1005 and 1012.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Monday, February 2, 1998, 1:00 pm. Hearing Rooms 1 and 2.

Dora Schriro, Director, Dept. of corrections.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 3, 1998. Hearing Rooms 1 and 2 upon adjournment.

Dept. of Social Services. Mark up HB 1011.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 4, 1998. Hearing Rooms 1 and 2 upon adjournment.

Dept. of Social Services. Mark up HB 1011.

BUDGET

Tuesday, February 3, 1998, 8:30 am. Hearing Room 6.

To be considered - HJR 31, HB 1014

BUDGET

Wednesday, February 4, 1998, 8:30 am. Hearing Room 6. Possible executive session.

To be considered - HJR 32, HB 1014

CHILDREN, YOUTH, AND FAMILIES

Monday, February 2, 1998, 11:30 am. Hearing Room 8. Bills to be considered.

Family Law Bills.

CONSUMER PROTECTION

Tuesday, February 3, 1998, 8:00 pm. Hearing Room 7.

To be considered - Executive Session - HB 1323, HB 993, HB 1178, HB 924, HB 980

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 3, 1998, 8:00 pm. Hearing Room 9. Executive session.

To be considered - HB 905, HB 1056, HB 1372, HJR 35

CRITICAL ISSUES

Monday, February 2, 1998, 7:00 pm. Hearing Room 6.

To be considered - HB 1412

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 3, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1064, HB 991, HB 1469, HB 1272, HB 1135

ELECTIONS

Tuesday, February 3, 1998, 7:30 pm. Hearing Room 8. Possible executive session.

To be considered - HB 1273, HB 1381, HB 1217, HB 1181

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, February 2, 1998, 8:00 pm. Hearing Room 7.

To be considered - HB 938, HB 1519

INSURANCE

Tuesday, February 3, 1998, 8:00 am. Hearing Room 8.

To be considered - HB 1316, HB 1179, HB 1278, HB 1090, HB 1198

JUDICIARY

Tuesday, February 3, 1998, 3:00 pm. Hearing Room 5. Executive session may follow.

To be considered - HB 1103, HB 1107, HB 1225, HB 1163, HB 1211, HB 1373, HB 1228

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 3, 1998, 3:00 pm. Hearing Rooms 1 and 2. Executive session may follow.

To be considered - HB 1140, HB 1329, HB 1063, HB 1214, HB 957, HB 1117,

HB 1151, HB 934

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 3, 1998, 3:00 pm. Hearing Room 7.

To be considered - HB 1170, HB 1171, HB 1069, HB 1264, HB 920, HB 912,

HB 1026, HB 933, HB 897, HB 973, HB 902

STATE PARKS, NATURAL RESOURCES & MINING

Wednesday, February 4, 1998, 3:00 pm. Hearing Rooms 3 and 4.

To be considered - HCR 8, HB 908, HB 1049, HB 1269

HOUSE CALENDAR

Fifteenth Day, Monday, February 2, 1998

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 46

HOUSE BILLS FOR SECOND READING

HB 1617 through HB 1641

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 1001 - and HB 1013

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

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House Journal

Second Regular Session, 89th General Assembly

FIFTEENTH DAY, Monday, February 2, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Love bears all things...endures all things." (I Cor. 13:7).

Once again the silliness of Groundhog Day and Phil in Punxsutawney, Pa. is a reminder of the tradition of our ancestors who measured the year in forty day or six week periods with a religious ritual; today is half way between mid-winter and spring. We begin our work for February today, a month of honoring the heart.

We begin this week Eternal God before You who measures our days and hours with an infinite love and guides the changing of the seasons. Thank You for giving us this stopping place in the winter and for the overall mildness of its climate so far in Missouri. We continue to remember in prayer the suffering of those who have had severe weather in the Northeast and in Canada.

We give thanks to You for giving us a month to re-kindle romance and love as we honor Saint Valentine later. Guide our efforts in that area of our lives, mend relationships and heal memories where needed. Help us continue to take care of our physical hearts with proper diet and exercise as we thank You for the marvels of today's medicine and surgery which are keeping so many alive or adding to the quality of life. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourteenth day was approved as printed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bauer Bennett Berkstresser

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Cooper Copeland Crawford Crump

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartelsmeyer Bland Clayton Daniel 42 Hagan-Harrell

Hoppe Nordwald Shear Thompson 37

VACANCIES: 002

RESOLUTIONS

Representative Shields offered House Resolution No. 150, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Donovan offered House Resolution No. 151, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 46 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1617 through **HB 1641** were read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1001 and **HB 1013** were read the second time.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 117 - Education - Higher

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 11 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 44 - Transportation

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 1001 - Budget

HB 1013 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1401 - Ways and Means

HB 1402 - Public Health and Safety

HB 1403 - Criminal Law

HB 1404 - Civil and Administrative Law

HB 1405 - Civil and Administrative Law

HB 1406 - Civil and Administrative Law

HB 1408 - Ways and Means

HB 1409 - Workers Compensation and Employment Security

HB 1410 - Motor Vehicle and Traffic Regulations

HB 1411 - Professional Registration and Licensing

HB 1413 - Ways and Means

HB 1414 - State Parks, Natural Resources and Mining

HB 1415 - Critical Issues

HB 1416 - Municipal Corporations

HB 1417 - Ways and Means

HB 1418 - Children, Youth and Families

HB 1419 - Public Health and Safety

HB 1420 - Judiciary

HB 1421 - Transportation

HB 1422 - Motor Vehicle and Traffic Regulations

HB 1424 - Education - Higher

HB 1425 - Municipal Corporations

HB 1427 - Education - Higher

HB 1428 - Professional Registration and Licensing

HB 1429 - Utilities Regulation

HB 1430 - State Parks, Natural Resources and Mining

HB 1431 - Critical Issues

HB 1432 - Ways and Means

HB 1433 - Correctional and State Institutions

HB 1434 - Motor Vehicle and Traffic Regulations

HB 1435 - Criminal Law

HB 1436 - Civil and Administrative Law

HB 1437 - Ways and Means

HB 1438 - Local Government and Related Matters

HB 1439 - Local Government and Related Matters

HB 1440 - Labor

HB 1442 - Civil and Administrative Law

HB 1443 - Criminal Law

HB 1444 - Judiciary

HB 1445 - Criminal Law

HB 1446 - Elections

HB 1447 - Criminal Law

HB 1448 - Education - Higher

HB 1449 - Civil and Administrative Law

HB 1450 - Professional Registration and Licensing

HB 1451 - Insurance

HB 1452 - Education - Elementary and Secondary

HB 1453 - Judiciary

HB 1456 - Local Government and Related Matters

HB 1457 - Commerce

HB 1458 - Public Health and Safety

HB 1459 - Education - Higher

HB 1460 - Transportation

HB 1461 - Ways and Means

HB 1462 - Professional Registration and Licensing

HB 1464 - Education - Elementary and Secondary

HB 1466 - Motor Vehicle and Traffic Regulations

HB 1467 - Social Services, Medicaid and the Elderly

HB 1468 - Local Government and Related Matters

HB 1470 - Labor

HB 1471 - Ways and Means

HB 1472 - Education - Elementary and Secondary

HB 1474 - Ways and Means

HB 1475 - Environment and Energy

HB 1476 - Social Services, Medicaid and the Elderly

HB 1477 - Ways and Means

HB 1479 - Professional Registration and Licensing

HB 1480 - Local Government and Related Matters

HB 1481 - Criminal Law

HB 1482 - Elections

HB 1483 - Elections

HB 1484 - Criminal Law

HB 1485 - Education - Higher

HB 1486 - Commerce

HB 1487 - Education - Elementary and Secondary

HB 1488 - Ways and Means

HB 1489 - Public Health and Safety

HB 1490 - Ways and Means

HB 1491 - Workers Compensation and Employment Security

HB 1493 - Motor Vehicle and Traffic Regulations

HB 1494 - Ways and Means

HB 1495 - Ways and Means

HB 1496 - Ways and Means

HB 1497 - Ways and Means

HB 1498 - Ways and Means

HB 1499 - Elections

HB 1500 - Elections

HB 1501 - Motor Vehicle and Traffic Regulations

HB 1502 - Ways and Means

HB 1503 - Retirement

HB 1504 - Insurance

HB 1506 - Utilities Regulation

HB 1507 - Ways and Means

HB 1508 - Criminal Law

HB 1509 - Motor Vehicle and Traffic Regulations

HB 1510 - Governmental Organization and Review

HB 1512 - Environment and Energy

HB 1513 - Civil and Administrative Law

HB 1514 - Professional Registration and Licensing

HB 1515 - Judiciary

HB 1516 - Municipal Corporations

HB 1517 - Municipal Corporations

HB 1518 - Motor Vehicle and Traffic Regulations

HB 1520 - Education - Elementary and Secondary

HB 1521 - Education - Elementary and Secondary

HB 1522 - Ways and Means

HB 1523 - Motor Vehicle and Traffic Regulations

HB 1524 - Education - Elementary and Secondary

HB 1525 - State Parks, Natural Resources and Mining

HB 1526 - Judiciary

HB 1527 - Civil and Administrative Law

HB 1528 - Civil and Administrative Law

HB 1529 - Ways and Means

HB 1530 - Ways and Means

HB 1531 - Local Government and Related Matters

HB 1532 - Local Government and Related Matters

HB 1533 - Ways and Means

HB 1534 - Social Services, Medicaid and the Elderly

HB 1535 - Motor Vehicle and Traffic Regulations

HB 1536 - Motor Vehicle and Traffic Regulations

HB 1537 - Social Services, Medicaid and the Elderly

HB 1538 - Correctional and State Institutions

HB 1540 - Miscellaneous Bills and Resolutions

HB 1541 - Motor Vehicle and Traffic Regulations

HB 1542 - Ways and Means

HB 1543 - Commerce

HB 1544 - Education - Elementary and Secondary

HB 1545 - Education - Higher

HB 1547 - Education - Higher

HB 1549 - Critical Issues

HB 1550 - Critical Issues

HB 1551 - Education - Elementary and Secondary

HB 1553 - Miscellaneous Bills and Resolutions

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCR 3.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 47, introduced by Representative Patek, relating to removal of officers not subject to impeachment.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 1002, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 1998 and ending June 30, 1999.

HB 1003, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the period beginning July 1, 1998 and ending June 30, 1999.

HB 1005, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 1998 and ending June 30, 1999.

HB 1008, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1998

and ending June 30, 1999.

HB 1009, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1998 and ending June 30, 1999.

HB 1012, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, the Committee on Public Employee Retirement, the Committee on Administrative Rules, the Joint Committee on Capital Improvements Oversight and the Joint Committee on Economic Development; and for the expenses of the interim committees established by the General Assembly, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1998 and ending June 30, 1999.

HB 1020, introduced by Representative Franklin, to appropriate money for planning, equipment, and for capital improvements including but not limited to additions, renovation, new structures and land improvements, and to transfer money among certain funds.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1642, introduced by Representatives Van Zandt and Bray, et al, relating to initiative petitions.

HB 1643, introduced by Representatives Monaco and Gaw, et al, relating to a buyer's guide for long-term care insurance.

HB 1644, introduced by Representative Patek, relating to certain school district construction.

HB 1645, introduced by Representative Patek, relating to income taxation.

HB 1646, introduced by Representative Patek, relating to an income tax credit.

HB 1647, introduced by Representative Lograsso, relating to notification for cancellation of group health insurance policies.

HB 1648, introduced by Representative Hosmer, et al, relating to peace officer standards and training.

HB 1649, introduced by Representative Hosmer, et al, relating to mental retardation.

HB 1650, introduced by Representative DeMarce, relating to drugs and controlled substances.

HB 1651, introduced by Representative Pouche, relating to campaign disclosure reports.

HB 1652, introduced by Representatives Williams (159) and Legan, relating to the state soil and water districts commission.

HB 1653, introduced by Representative Fitzwater, relating to the removal of a guardian or conservator.

HB 1654, introduced by Representative Burton, relating to the department of economic development.

HB 1655, introduced by Representative Ostmann, et al, relating to motor vehicles.

HB 1656, introduced by Representative Bray, et al, relating to providing tax relief in distressed communities.

WITHDRAWAL OF HOUSE BILL

To: Representative Steve Gaw, Speaker of the House

From: Representative Delbert L. Scott, Minority Floor Leader

Re: House Bill 1563

Date: January 29, 1998

I respectfully withdraw my bill, HB 1563. Thank you.

The following member's presence was noted: Daniel (42).

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, February 3, 1998.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, February 3, 1998, 10:45 am. Hearing Room 7.

Judiciary and Public Defender. AMENDED

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 4, 1998, 10:45 am. Hearing Room 7.

Dept. of Elementary and Secondary Education.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, February 5, 1998, 10:45 am. Hearing Room 7.

Dept. of Elementary and Secondary Education if necessary.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 3, 1998. Hearing Room 9 upon morning adjournment.

Mark up on HB 1001, 1004, 1005 and 1012.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 4, 1998. Hearing Room 9 upon morning adjournment.

Mark up on HB 1001, 1004, 1005 and 1012.

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 5, 1998. Hearing Room 9 upon morning adjournment.

If necessary mark up on HB 1001, 1004, 1005 and 1012.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 3, 1998. Hearing Room 6 upon morning adjournment.

Department of Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 4, 1998. Hearing Room 6 upon morning adjournment.

Department of Mental Health.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 3, 1998. Hearing Rooms 1 and 2 upon adjournment.

Dept. of Social Services. Mark up HB 1011.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 4, 1998. Hearing Rooms 1 and 2 upon adjournment.

Dept. of Social Services. Mark up HB 1011.

BUDGET

Tuesday, February 3, 1998, 8:30 am. Hearing Room 6.

To be considered - HJR 31, HB 1014

BUDGET

Wednesday, February 4, 1998, 8:30 am. Hearing Room 6.

Possible executive session.

To be considered - HJR 32, HB 1014

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 4, 1998, 7:30 pm. Hearing Room 8. Executive session.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 4, 1998, 3:00 pm. Hearing Room 1. Executive session may follow.

To be considered - HB 966, HB 967, HB 987, HB 1095, HB 1145, HB 1216,

HB 1354, HB 1379

CONSUMER PROTECTION

Tuesday, February 3, 1998, 8:00 pm. Hearing Room 7.

To be considered - Executive Session - HB 1323, HB 993, HB 1178, HB 924, HB 980

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 3, 1998, 8:00 pm. Hearing Room 9. Executive session.

To be considered - HB 905, HB 1056, HB 1372, HJR 35

CRIMINAL LAW

Wednesday, February 4, 1998, 7:00 pm. Hearing Room 9.

To be considered - HB 1147, HB 1131, HB 1050, HB 1079, HB 960, HB 1186, HB 1108

CRIMINAL LAW

Thursday, February 5, 1998. Side gallery upon adjournment. Executive session.

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 3, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1064, HB 991, HB 1469, HB 1272, HB 1135

ELECTIONS

Tuesday, February 3, 1998, 7:30 pm. Hearing Room 8. Possible executive session.

To be considered - HB 1273, HB 1381, HB 1217, HB 1181

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 4, 1998, 8:30 am. Hearing Room 8. Executive session.

To be considered - HB 1138

INSURANCE

Tuesday, February 3, 1998, 8:00 am. Hearing Room 8.

To be considered - HB 1316, HB 1179, HB 1278, HB 1090, HB 1198

JUDICIARY

Tuesday, February 3, 1998, 3:00 pm. Hearing Room 5. Executive session may follow.

To be considered - HB 1103, HB 1107, HB 1225, HB 1163, HB 1211, HB 1373, HB 1228

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 3, 1998, 3:00 pm. Hearing Rooms 1 and 2.

Executive session may follow. AMENDED

To be considered - HB 1140, HB 1329, HB 1063, HB 1214, HB 957, HB 1117,

HB 1151, HB 934, HB 1532

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 4, 1998, 9:00 am. Hearing Room 7. Executive session may follow.

To be considered - HB 1540, HCR 11, HB 1553

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 3, 1998, 3:00 pm. Hearing Room 7.

To be considered - HB 1170, HB 1171, HB 1069, HB 1264, HB 920, HB 912, HB 1026, HB 933, HB 897, HB 973, HB 902

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 4, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 1094, HB 1361, HB 1311, HB 1312, HB 1411, HB 1428

PUBLIC HEALTH & SAFETY

Tuesday, February 3, 1998, 3:00 am. Hearing Room 9.

To be considered - HB 1315, HB 1136, HB 1360

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, February 3, 1998, 8:00 pm. Hearing Room 5. Possible executive session.

To be considered - HB 1261, HB 1327, HB 1052

STATE PARKS, NATURAL RESOURCES & MINING

Wednesday, February 4, 1998, 3:00 pm. Hearing Rooms 3 and 4.

To be considered - HCR 8, HB 908, HB 1049, HB 1269

WAYS AND MEANS

Tuesday, February 3, 1998, 3:00 pm. Hearing Room 6. Executive session.

To be considered - HB 1546, HB 1305, HB 1275, HB 1340, HB 916, HB 1266, HB 1432, HB 1497, HB 1074, HB 1263

HOUSE CALENDAR

Sixteenth Day, Tuesday, February 3, 1998

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 47

HOUSE BILLS FOR SECOND READING

HB 1642 through HB 1656

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 1002

HB 1003

HB 1005

HB 1008

HB 1009

HB 1012

HB 1020

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

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Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

SIXTEENTH DAY, Tuesday, February 3, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Create a clean heart in me, O God." (Ps. 51:10)

A friend gave me a tape yesterday afternoon with some Barbra Streisand songs. As I reflected on yesterday's prayer theme for the House, a few of the lines struck me and I applied them to life in general in our society and in a particular way to race relations as we celebrate Black History Month in February, which is also the month of the heart.

Gracious God, this morning I echo Barbra's words, "protect our precious destiny... the time has come to be a family." How often these words are a deep cry from the human heart and are repeated in different ways in Your word to us through Your Holy Books and holy ones. Barbra also sings "take my heart to higher ground." We pray this day that these words would become a prayer that finds a place in our hearts as we seek to be taken into Yours, O God. Today's national news about the probable execution of a woman in Texas and the prospect of huge budget surpluses and a booming Dow Jones when more people are turning to food pantries for help are challenges to our moral sensibilities in this month of the heart. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ashton Klindt, Landan Klindt, Caleb Riekhof, Gabriel Riekhof, Summer Harvey, Allyn Harvey, Jacob Harvey and Samantha Alexander.

The Journal of the fifteenth day was approved as corrected by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bauer Berkstresser Boatright

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Clayton Cooper Copeland Crawford Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer Bennett Bland Crump Hagan-Harrell

Shear Thompson 37

VACANCIES: 002

RESOLUTIONS

Representative DeMarce offered House Resolution No. 152, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Troupe offered House Resolution No. 153, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 154, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Schwab offered House Resolution No. 155, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (159) offered House Resolution No. 156 through House Resolution No. 159, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 160, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cooper offered House Resolution No. 161, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 47 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1642 through **HB 1656** were read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1002, 1003, 1005, 1008, 1009, 1012 and **1020** were read the second time.

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 1002 - Budget

HB 1003 - Budget

HB 1005 - Budget

HB 1008 - Budget

HB 1009 - Budget

HB 1012 - Budget

HB 1020 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1454 - Retirement

HB 1455 - Retirement

HB 1609 - Municipal Corporations

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1128 - Labor

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 48, introduced by Representatives Lograsso and Linton, relating to the state board of education.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 1007, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and the Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 1998 and ending June 30, 1999.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1657, introduced by Representative Gratz, relating to the procurement of services for state construction projects.

HB 1658, introduced by Representatives Ballard and Boatright, relating to grain warehousing licenses.

HB 1659, introduced by Representative Ballard, et al, relating to persons entitled to be excused from jury duty.

HB 1660, introduced by Representative Hosmer, relating to the probate division commissioner in a certain judicial circuit.

HB 1661, introduced by Representatives Howerton and Hohulin, et al, relating to an income tax credit for child care.

HB 1662, introduced by Representative Elliott, relating to public governmental bodies and records.

HB 1663, introduced by Representatives Graham (24) and Naeger, relating to services for persons with developmental disabilities.

HB 1664, introduced by Representative Kennedy, et al, relating to political subdivision leases.

HB 1665, introduced by Representative Skaggs, relating to retirement of judges.

HB 1666, introduced by Representative Ladd Stokan, relating to penalties for violations of certain provisions of the nursing home law.

HB 1667, introduced by Representative Marble, relating to boot camp.

HB 1668, introduced by Representatives Hosmer and Hoppe, et al, relating to first responder programs.

HB 1669, introduced by Representative Green, relating to the regulation and licensing of professional

addictions counselors.

HB 1670, introduced by Representative Graham (24), et al, relating to the life for a life program.

HB 1671, introduced by Representative Cierpiot, et al, relating to abortion.

HB 1672, introduced by Representative Gross, relating to improper communications.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Rep. Merideth has been appointed to the Appropriations - Health and Mental Health Committee.

WITHDRAWAL OF HOUSE BILLS

February 3, 1998

Ms. Anne C. Walker
Chief Clerk
Missouri House of Representatives
Room 306C, Capitol Building
Jefferson City, MO 65101

Dear Ms. Walker:

This is to inform you that I wish to withdraw **House Bill No. 1658** due to a serious drafting error.

Thank you for your assistance.

Sincerely,

/s/ Charlie Ballard
State Representative
District 140

February 3, 1998

The Honorable Steve Gaw, Speaker
Missouri House of Representatives
Capitol Building
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request the withdraw of **House Bill 1235**.

Thank you.

Sincerely,

/s/ Bill Luetkenhaus

District 12

The following members' presence was noted: Bennett, Thompson (37) and Crump.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, February 4, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifteenth Day, Monday, February 2, 1998, Page 172, by inserting after line 13 the following:

HB 1165 - Federal-State Relations and Veterans Affairs

HB 1268 - Criminal Law

HB 1294 - Transportation

HB 1297 - Ways and Means

HB 1332 - Education - Higher

HB 1335 - Civil and Administrative Law

HB 1337 - Social Services, Medicaid and the Elderly

HB 1371 - Utilities Regulation

HB 1377 - Labor

HB 1380 - Consumer Protection

HB 1391 - Civil and Administrative Law

HB 1393 - Critical Issues

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 4, 1998, 10:45 am. Hearing Room 7.

Dept. of Elementary and Secondary Education.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, February 5, 1998, 10:45 am. Hearing Room 7.

Dept. of Elementary and Secondary Education if necessary.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 4, 1998. Hearing Room 9 upon morning adjournment.

Mark up on HB 1001, 1004, 1005 and 1012. CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 5, 1998. Hearing Room 9 upon morning adjournment.

If necessary mark up on HB 1001, 1004, 1005 and 1012. CANCELLED

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 4, 1998. Hearing Room 6 upon morning adjournment.

Department of Mental Health.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 4, 1998. Hearing Rooms 1 and 2 upon adjournment.

Dept. of Social Services. Mark up HB 1011.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 6.

To be considered - HB 1189

BUDGET

Wednesday, February 4, 1998, 8:30 am. Hearing Room 6. Possible executive session.

To be considered - HJR 32, HB 1014

BUDGET

Thursday, February 5, 1998, 8:30 am. Hearing Room 6.

Executive session on previously heard bills.

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 4, 1998, 7:30 pm. Hearing Room 8. Executive session.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 4, 1998, 3:00 pm. Hearing Room 1. Executive session may follow.

To be considered - HB 966, HB 967, HB 987, HB 1095, HB 1145,

HB 1216, HB 1354, HB 1379

CRIMINAL LAW

Wednesday, February 4, 1998, 7:00 pm. Hearing Room 9. AMENDED

To be considered - HB 1147, HB 1131, HB 1050, HB 1079, HB 960, HB 1186, HB 1108, HB 1435

CRIMINAL LAW

Thursday, February 5, 1998. Side gallery upon adjournment. Executive session.

CRITICAL ISSUES

Thursday, February 5, 1998, 9:00 am. Hearing Room 9.

To be considered - Executive Session - HB 1412

EDUCATION - HIGHER

Wednesday, February 4, 1998, 3:00 pm. Hearing Room 8.

To be considered - HR 117, HB 1325, HB 1347, HB 1222

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 4, 1998, 8:30 am. Hearing Room 8. Executive session.

To be considered - HB 1138

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 4, 1998, 9:00 am. Hearing Room 7. Executive session may follow.

To be considered - HB 1540, HCR 11, HB 1553

MUNICIPAL CORPORATIONS

Wednesday, February 4, 1998, 3:00 pm. Hearing Room 7. AMENDED

To be considered - HB 1608, HB 977, HB 1159, HB 1308, HB 1609

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 4, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 1094, HB 1361, HB 1311, HB 1312, HB 1411, HB 1428

RETIREMENT

Wednesday, February 4, 1998, 8:00 pm. Hearing Room 7. Executive session may follow.

To be considered - HB 1299, HB 1503

STATE PARKS, NATURAL RESOURCES & MINING

Wednesday, February 4, 1998, 3:00 pm. Hearing Rooms 3 and 4.

To be considered - HCR 8, HB 908, HB 1049, HB 1269

TRANSPORTATION

Wednesday, February 4, 1998, 3:00 pm. Hearing Room 5. Executive session to follow.

To be considered - HB 1421, HCR 9

UTILITIES REGULATION

Thursday, February 5, 1998, 8:30 am. Hearing Room 8. AMENDED.

Executive session may or may not follow.

To be considered - HB 988, HB 1429, HB 1506

HOUSE CALENDAR

Seventeenth Day, Wednesday, February 4, 1998

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 48

HOUSE BILLS FOR SECOND READING

HB 1657

HB 1659 through HB 1672

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1007

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

SEVENTEENTH DAY, Wednesday, February 4, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Once again we find ourselves face to face with the prospect of armed conflict. We mourn today the deaths of people killed in a tragic accident in the mountains of Italy, through the forces of nature in Florida, and at the hands of their fellow human beings around the world. We stand in the shadow of human frailties and failings. Forgive us the wrong that we do, individually and corporately.

Holy One, fortunately most of the battles we fight are ones of words and ideas. Help us see clearly the path that needs to be taken as these Representatives make decisions about the judicious use of the state's finances. Give them insight in establishing laws that will affect the youngest of Missouri's residents to the oldest. In all things, O God, give us all the courage to stand up for what we believe and the wisdom to know when what we believe may need to change.

Hear us and guide us, Keeper of heaven and earth. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixteenth day was approved as printed by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bauer Bennett Berkstresser

Bland Boatright Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniels 41 Davis 122 Davis 63 DeMarce

Dolan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Schilling Schwab Secrest Seigfreid

Shear Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bartelsmeyer Bonner Daniel 42 Days Donovan

Froelker Kelley 47 Scheve Scott Sheldon 104

Mr. Speaker

VACANCIES: 002

RESOLUTIONS

Representative DeMarce offered House Resolution No. 162, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 163, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Holand offered House Resolution No. 164, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Bennett and Gross offered House Resolution No. 165, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (159) offered House Resolution No. 166, which was referred to

the Committee on Miscellaneous Bills and Resolutions.

Representatives Richardson and Foster offered House Resolution No. 167, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Naeger offered House Resolution No. 168, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 169, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 48 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1657 and **HB 1659** through **HB 1672** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 1007 was read the second time.

REFERRAL OF HOUSE BILL - APPROPRIATIONS

The following House Bill was referred to the Committee indicated:

HB 1007 - Budget

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1073 - Miscellaneous Bills and Resolutions

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 477, entitled:

An act to amend chapter 252, RSMo, by adding thereto one new section relating to wild game donations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SBs 707 and 484, entitled:

An act to repeal sections 99.820 and 99.845 as enacted by conference committee substitute for house committee substitute for senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly, relating to tax increment financing, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 501, entitled:

An act to repeal sections 169.070, 169.075 and 169.670, RSMo Supp. 1997, relating to public school retirement systems, and to enact in lieu thereof three new sections relating to the same subject, with an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 49, introduced by Representatives Kauffman, Boucher and Hartzler (123), relating to bingo.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 1004, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 1998 and ending June 30, 1999.

HB 1006, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1998 and ending June 30, 1999.

HB 1010, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1998 and ending June 30, 1999.

HB 1011, introduced by Representative Franklin, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1998 and ending June 30, 1999.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1673, introduced by Representative DeMarce, relating to the unlawful use of weapons.

HB 1674, introduced by Representative Rizzo, relating to economic development.

HB 1675, introduced by Representatives Copeland and Wannenmacher, relating to banking.

HB 1676, introduced by Representatives Ballard and Boatright, relating to grain dealers licenses.

HB 1677, introduced by Representatives Patek and Elliott, et al, relating to telecommunications.

HB 1678, introduced by Representative Wiggins, relating to investments by the state treasurer.

HB 1679, introduced by Representatives Koller and Gaw, relating to the compensation of the employees of the department of transportation.

HB 1680, introduced by Representative Koller, relating to regulation of railroad corporations.

HB 1681, introduced by Representatives Koller and Gaw, relating to the financial administration of the department of transportation.

HB 1682, introduced by Representative Koller, relating to personal watercraft.

HB 1683, introduced by Representatives Fitzwater and McClelland, relating to alternative education placement hearings.

HB 1684, introduced by Representative Hollingsworth, et al, relating to criminal background reviews.

HB 1685, introduced by Representative Thompson (37), relating to state historic sites.

HB 1686, introduced by Representative Carter, et al, relating to cosmetologists.

HB 1687, introduced by Representative Sallee, relating to the crime of passing bad checks.

HB 1688, introduced by Representative Skaggs, relating to the receipt of federal grant moneys for rural health care access.

HB 1689, introduced by Representative Murray, et al, relating to state financial administration.

HB 1690, introduced by Representatives Schwab and Naeger, relating to the transportation of pupils to all schools.

HB 1691, introduced by Representative Hoppe, relating to intoxicating liquor wholesalers' and retailers' delivery practices.

HB 1692, introduced by Representatives Richardson and Robirds, relating to certification of teachers.

HB 1693, introduced by Representative Lakin, relating to an income tax credit for property taxes paid on a homestead.

HB 1694, introduced by Representatives Gaw and Farnen, et al, relating to the Advantage Missouri Program.

HB 1695, introduced by Representative Seigfreid, relating to fire protection districts.

HB 1696, introduced by Representative Rizzo, relating to motor vehicles.

HB 1697, introduced by Representative Burton, relating to utility access to right-of-ways.

WITHDRAWAL OF HOUSE BILLS

February 3, 1998

Hon. Steve Gaw, Speaker

House of Representatives

Capitol Building

Jefferson City, Mo. 65101

Dear Mr. Speaker:

I hereby request that House Bill 1379 be WITHDRAWN.

Sincerely,

/s/ Merrill Townley

February 4, 1998

The Honorable Steve Gaw
Speaker, House of Representative
Capitol Building
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully withdraw House Bill No. 1691.

Respectfully submitted,

/s/ Thomas J. Hoppe
State Representative
46th Legislative District

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, February 5, 1998.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, February 5, 1998, 10:45 am. Hearing Room 7.

Dept. of Elementary and Secondary Education if necessary. CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 5, 1998. Hearing Room 9 upon morning adjournment.

If necessary mark up on HB 1001, 1004, 1005 and 1012. CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 9, 1998, 1:00 pm. Hearing Room 9. Executive session and mark up.

To be considered - HB 1004, HB 1005, HB 1012

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 10, 1998. Hearing Room 9 upon morning adjournment.

Executive session and mark up.

To be considered - HB 1004, HB 1005, HB 1012

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 11, 1998. Hearing Room 9 upon morning adjournment if necessary. Executive session and mark up.

To be considered - HB 1004, HB 1005, HB 1012

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 9, 1998, 12:00 pm. Hearing Room 6.

Dept. of Health and Mental Health mark up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 10, 1998. Hearing Room 6 upon morning adjournment.

Dept. of Health and Mental Health mark up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 11, 1998. Hearing Room 6 upon morning adjournment.

Dept. of Health and Mental Health mark up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 9, 1998, 12:00 pm. Hearing Room 8.

Mark up for the following departments: Conservation, Insurance, Agriculture and Labor.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 10, 1998. Hearing Room 8 upon adjournment.

Mark up Dept. of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 11, 1998. Hearing Room 8 upon adjournment.

Mark up Dept. of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 12, 1998. Hearing Room 8 upon adjournment.

Finish mark up if necessary.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 6. AMENDED.

Executive session to follow.

To be considered - HB 1189

BUDGET

Thursday, February 5, 1998, 8:30 am. Hearing Room 6.

Executive session on previously heard bills.

CRIMINAL LAW

Thursday, February 5, 1998. Side gallery upon adjournment. Executive session.

CRITICAL ISSUES

Thursday, February 5, 1998, 9:00 am. Hearing Room 9.

To be considered - Executive Session - HB 1412. CANCELLED

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, February 5, 1998. Hearing Room 8 upon morning adjournment.

To be considered - Executive Session - HB 1064, Executive Session - HB 1469,

Executive Session - HB 1135, Executive Session - HB 955,

Executive Session - HB 1272, Executive Session - HB 962

ENVIRONMENT AND ENERGY

Thursday, February 5, 1998, 8:30 am. Hearing Room 1 and 2. CORRECTED

Executive session to follow.

To be considered - HB 994, HB 1390

GOVERNMENTAL ORGANIZATION AND REVIEW

Thursday, February 5, 1998. Side gallery upon adjournment. Executive Session.

INSURANCE

Tuesday, February 10, 1998, 8:00 am. Hearing Room 8. Executive session may follow.

To be considered - HB 1090, HB 1198, HB 1451, HB 1374, HB 1383

STATE PARKS, NATURAL RESOURCES & MINING

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 3 and 4. Executive session to follow.

To be considered - HB 1430, HB 1414, HB 1525

UTILITIES REGULATION

Thursday, February 5, 1998, 8:30 am. Hearing Room 8. AMENDED.

Executive session may or may not follow.

To be considered - HB 988, HB 1429, HB 1506

HOUSE CALENDAR

Eighteenth Day, Thursday, February 5, 1998

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 49

HOUSE BILLS FOR SECOND READING

HB 1673 through 1697

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 1004 -

HB 1006 -

HB 1010 -

HB 1011 -

SENATE BILLS FOR SECOND READING

SCS SB 501

SCS SB 477

SCS SB 707 & 484

COURTESY RESOLUTIONS

HR 125 - Heckemeyer

HR 126 - Fritts

HR 127 and HR 128 - Williams (121)

HR 129 - Summers

HR 131 through HR 133 - Bennett

HR 134 - Bland

HR 135 - Schwab

HR 136 through 138 - Gibbons

HR 139 - McClelland

HR 140 - Gibbons

HR 141 - Barnett

HR 142 and HR 143 - Shields

HR 144 and HR 145 - Smith

HR 146 - Gaston

HR 147 - Thompson (37)

HR 148 - Pryor

HR 149 - Griesheimer

HR 150 - Shields

HR 151 - Donovan

HR 152 - DeMarce

Missouri House of Representatives

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Missouri Senate
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Revised Statutes of Missouri (RSMO)
Missouri Constitution
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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

EIGHTEENTH DAY, Thursday, February 5, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

How do we set aside our own thoughts and concerns, O Lord, as we come in to our responsibilities in this place? The concerns of home, family and friends are never far from us. Help us, Gracious God, to focus on what lies in front of us, trusting You to take care of our concerns until we can once again return our attention to those dear to us.

In this place where we speak the language of the law, where we debate the issues of budget appropriations, amendments, and revisions, we often forget that what we do here affects not only our families, but families throughout this state. Guide us in what is done in this House so that all may be treated fairly. Direct us in choosing the wiser path rather than the quicker path. And most of all, reassure us of Your presence as we seek to do our jobs well and wisely.

May each one here enjoy the benefits of time spent at home during this coming weekend, and return them safely to this place with renewed energy and dedication. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Arian Jordan, Jonathan Slater, Lynn Dilworth and Jeremy Helm.

The Journal of the seventeenth day was approved as corrected by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bauer Bennett Berkstresser

Bland Boatright Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

DeMarce Dolan Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Schilling Schwab Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bartelsmeyer Bonner Days Donovan Dougherty

Froelker Kelley 47 O'Connor Scheve Scott

Mr. Speaker

VACANCIES: 002

RESOLUTIONS

Representatives Surface and Burton offered House Resolution No. 170, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 171, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 172, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 173, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 174 and House Resolution 175, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative May (108) offered House Resolution No. 176, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Naeger and Foster, et al, offered House Resolution No. 177, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Berkstresser offered House Resolution No. 178 through House Resolution No. 181, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Kasten and Schwab offered House Resolution No. 182, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mays (50) offered House Resolution No. 183, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crawford offered House Resolution No. 184, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Patek offered House Resolution No. 185, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTIONS

Representatives Graham (24) and Koller offered House Concurrent Resolution No. 13.

Representatives Parker and Richardson offered House Concurrent Resolution No. 14.

COURTESY RESOLUTIONS

House Resolution No. 125 through House Resolution No. 129 and House Resolution No. 131 through House Resolution No. 161 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution No. 125 through House Resolution No. 129 and House Resolution No. 131 through House Resolution No. 161 were adopted.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 49 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1673 through HB 1697 were read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1004, HB 1006, HB 1010 and HB 1011 were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 477, SCS SB 501 and SCS SB 707 & 484 were read the second time.

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 1004 - Budget

HB 1006 - Budget

HB 1010 - Budget

HB 1011 - Budget

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1620 - Tourism, Recreation and Cultural Affairs

COMMITTEE REPORT

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred HB 1014, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1698, introduced by Representatives Hosmer and Hoppe, et al, relating to fire protection districts.

HB 1699, introduced by Representative Elliott, et al, relating to the public service commission.

HB 1700, introduced by Representative Luetkenhaus, relating to employment security.

HB 1701, introduced by Representatives Thomason (163) and Merideth, relating to aviation.

HB 1702, introduced by Representative Schilling, relating to teachers.

HB 1703, introduced by Representative Schilling, relating to drunk driving.

HB 1704, introduced by Representative Leake, relating to the university of Missouri and its ability to sell agricultural products.

HB 1705, introduced by Representative Hoppe, relating to intoxicating liquor wholesalers' and retailers' delivery practices.

HB 1706, introduced by Representatives O'Toole and Green, relating to underground facility safety and damage prevention.

HB 1707, introduced by Representative Copeland, et al, relating to the state treasurer.

HB 1708, introduced by Representative Robirds, et al, relating to cooperative insurance entities for political subdivisions.

HB 1709, introduced by Representatives Robirds and Gaskill, et al, relating to peace officer training.

HB 1710, introduced by Representatives Robirds and Williams (121), et al, relating to the operation of motor vehicles.

HB 1711, introduced by Representative Robirds, et al, relating to marriage licenses.

HB 1712, introduced by Representative Edwards-Pavia, et al, relating to bar ninety motor vehicle emissions testing systems.

HB 1713, introduced by Representative Boucher, relating to excursion gambling boats.

HB 1714, introduced by Representative Luetkenhaus, relating to the registration of certain offenders.

HB 1715, introduced by Representative Hartzler (124), et al, relating to the development of academic standards and assessment system.

HB 1716, introduced by Representative McBride, relating to alternate jurors.

HB 1717, introduced by Representatives Stokan and Ridgeway, et al, relating to a comprehensive employee information system in the department of public safety.

HB 1718, introduced by Representatives Chrismer and Ross, et al, relating to veterans' cemeteries.

HB 1719, introduced by Representatives McLuckie and Days, et al, relating to human rights.

WITHDRAWAL OF HOUSE BILL

February 5, 1998

Speaker Steve Gaw

House Post Office

State Capitol

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully withdraw House Bill No. 1355.

Sincerely,

/s/ Henry Rizzo

State Representative

District #40

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, February 9, 1998.

CORRECTION

Correct House Journal, Seventeenth Day, Wednesday, February 4, 1998, Page 192, by inserting after line 3 the following:

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred House Resolution No. 125 through House Resolution No. 129 and House Resolution No. 131 through House Resolution No. 161, begs leave to report it has examined the same and recommends that they Do Pass.

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Tuesday, February 10, 1998, 9:00 am. Hearing Room 9.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Monday, February 9, 1998, 1:00 pm. Hearing Room 7. Dept. of Higher Education.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, February 10, 1998, 10:45 am. Hearing Room 7. Dept. of Public Safety.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 11, 1998, 10:45 am. Hearing Room 7. AMENDED.

Finish Dept.of Public Safety. Executive session. Attendance required.

To be considered - Executive Session - HB 1002, Executive Session - HB 1003,

Executive Session - HB 1008, Executive Session - HB 1012

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, February 12, 1998, 10:45 am. Hearing Room 7.

Call back any agencies if necessary, and executive session if necessary.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 9, 1998, 1:00 pm. Hearing Room 9. Executive session and mark up.

To be considered - HB 1004, HB 1005, HB 1012

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 10, 1998. Hearing Room 9 upon morning adjournment.

Executive session and mark up.

To be considered - HB 1004, HB 1005, HB 1012

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 11, 1998. Hearing Room 9 upon morning adjournment if necessary.

Executive session and mark up.

To be considered - HB 1004, HB 1005, HB 1012

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 9, 1998, 12:00 pm. Hearing Room 6.

Dept. of Health and Mental Health mark up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 10, 1998. Hearing Room 6 upon morning adjournment.

Dept. of Health and Mental Health mark up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 11, 1998. Hearing Room 6 upon morning adjournment.

Dept. of Health and Mental Health mark up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 9, 1998, 12:00 pm. Hearing Room 8.

Mark up for the following departments: Conservation, Insurance, Agriculture and Labor.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 10, 1998. Hearing Room 8 upon adjournment.

Mark up Dept. of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 11, 1998. Hearing Room 8 upon adjournment.

Mark up Dept. of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 12, 1998. Hearing Room 8 upon adjournment.

Finish mark up if necessary.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Monday, February 9, 1998, 3:15 pm. Hearing Room 6.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 10, 1998. Hearing Room 1 and 2 upon adjournment.

Dept. of Social Services mark up HB 1011.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 11, 1998. Hearing Room 1 and 2 upon adjournment.

Dept. of Social Services mark up HB 1011.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 12, 1998. Hearing Room 1 and 2 upon adjournment.

Dept. of Social Services mark up HB 1011.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 6. AMENDED.

Executive session to follow.

To be considered - HB 1189

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 1. Executive session to follow.

To be considered - HB 1093, HB 1391, HB 1404, HB 1406, HB 1442, HB 1527, HB 1528

CRIMINAL LAW

Wednesday, February 11, 1998, 8:00 pm. Hearing Room 9. Executive session may follow.

To be considered - HB 984, HB 1098, HB 1277, HB 1252, HB 1040, HB 1286, HB 1122, HB 999

CRITICAL ISSUES

Monday, February 9, 1998, 8:00 pm. Hearing Room 6. Work session on HB1412, 7:00pm.

To be considered - HB 1030, HB 1322

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 10, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1086, HB 1087, HB 1088, HB 1265, HB 1110, HB 1232

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, February 9, 1998, 8:00 pm. Hearing Room 7.

To be considered - HB 1260, Executive Session - HB 1046, Executive Session - HB 1519

INSURANCE

Tuesday, February 10, 1998, 8:00 am. Hearing Room 8. Executive session may follow.

To be considered - HB 1090, HB 1198, HB 1451, HB 1374, HB 1383

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 11, 1998, 8:30 am. Hearing Room 9.

Presentation of Oversight Reports and other business.

JUDICIARY

Tuesday, February 10, 1998, 3:00 pm. Hearing Room 5.

To be considered - HB 1127, HB 1276, HB 1309, HB 1368, HB 1444

LABOR

Tuesday, February 10, 1998, 8:00 pm. Hearing Room 6.

To be considered - HB 1139, Executive Session - HB 1038

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 10, 1998, 3:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - HB 1304, HB 1306, HB 944, HB 1158, HB 1164, HB 1267, HB 1392, HB 1293, HB 1531

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 10, 1998, 3:00 pm. Hearing Room 7. Executive session tofollow.

To be considered - HB 1055, HB 1434, HB 929, HB 930, HB 978, HB 1176, HB 1054, HB 1255, HB 1280, HB 1410, HB 1501, HB 1207, HB 1092, HB 1238, HB 1300, HB 1523

MUNICIPAL CORPORATIONS

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 7. Executive session.

To be considered - HB 1416, HB 1517, HB 1425

PUBLIC HEALTH AND SAFETY

Tuesday, February 10, 1998, 3:00 pm. Hearing Room 9. Executive session may follow.

To be considered - HB 1402, HB 1489, HB 1302

PUBLIC HEALTH AND SAFETY

Tuesday, February 17, 1998, 7:00 pm. Hearing Room 1 and 2.

To be considered - HB 1257, HB 1397

STATE PARKS, NATURAL RESOURCES & MINING

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 3 and 4. Executive session to follow.

To be considered - HB 1430, HB 1414, HB 1525

SUB-COMMITTEE RELATING TO USE OF WEB SITERS

Wednesday, February 11, 1998, 12:00 pm. Hearing Room 5. Guidelines for Web Sites.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, February 9, 1998, 8:00 pm. Hearing Room 9. Executive session may follow.

To be considered - HCR 7, HB 1620

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, February 9, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 1409, HB 1491

HOUSE CALENDAR

Ninteenth Day, Monday, February 9, 1998

HOUSE BILLS FOR SECOND READING

HB 1698 through HB 1719

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1014 - Franklin

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

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(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

NINETEENTH DAY, Monday, February 9, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"There will be...glory and honor and peace for every one who does good." (Rom. 2:10).

The Olympics are giving us some relief from the routine. We marvel at the years of hard work and total commitment that the athletes must invest and then one slip or tumble or slight fault knocks them out of the competition or deprives them of a medal.

Today gracious God, we pray for the re-dedication and re-commitment which all of us need in daily life. We do not always put out that one hundred percent effort. May we be inspired by those around us who give us good example. May we also learn from the mistakes and from the greater success of others who win despite our best efforts. We lift up in prayer those who are suffering from the severe weather in Florida and California in recent days and we pray for the reconciliation of the world community as it is affected by the weapons in Iraq. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Logan Sheat, Whitney Sheat and Jordan Sheat.

COMMUNICATION FROM THE SECRETARY OF STATE

TO THE SPEAKER OF THE HOUSE

Honorable Steve Gaw

Jefferson City, MO

Sir:

I, Rebecca McDowell Cook, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 60th Legislative District in the State of Missouri, on the 3rd day of February, 1998, as provided by law, the following named person was elected to the office of State Representative, 60th Legislative District as shown by the election results certified to this office by the election authority of the 60th Legislative District.

Name Office

Robert (Bob) Bartlett State Representative

4864 Penrose St. 60th Legislative District

St. Louis, MO 63115

IN WITNESS WHEREOF, I have hereunto set

my hand and affixed the seal of my office this 6th

day of February, 1998.

/s/ Rebecca McDowell Cook

Secretary of State

OATH OF OFFICE

Robert Bartlett advanced to the bar and subscribed to the Oath of Office which was administered by the Honorable Steve Gaw, Speaker of the Missouri House of Representatives.

Official swearing in of Robert Barlett was held February 6, 1998 and the ceremonial swearing in was held February 9, 1998.

The Journal of the eighteenth day was approved as printed by the following vote:

AYES: 159

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Hall Murphy Shear

VACANCY: 001

RESOLUTIONS

Representative Dolan offered House Resolution No. 186, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 187, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Patek offered House Resolution No. 188, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 189 through House Resolution No. 198, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 199 through House Resolution No. 201, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution No. 202, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Summers offered House Resolution No. 203, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 204, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Foster offered House Resolution No. 205, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Steen offered House Resolution No. 206, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ransdall offered House Resolution No. 207, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mays (50) offered House Resolution No. 208, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1698 through **HB 1719** were read the second time.

SIGNING OF HOUSE CONCURRENT RESOLUTION

All other business of the House was suspended while **HCR 3** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCR 3** was delivered to the Governor by the Chief Clerk of the House.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 130 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 45 - Transportation

HJR 46 - Education - Elementary and Secondary

HJR 48 - Education - Elementary and Secondary

HJR 49 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 923 - Judiciary

HB 937 - Criminal Law

HB 1441 - Criminal Law

HB 1463 - Retirement

HB 1492 - Local Government and Related Matters

HB 1505 - Correctional and State Institutions

HB 1539 - Governmental Organization and Review

HB 1552 - Critical Issues

HB 1554 - Criminal Law

HB 1555 - Education - Elementary and Secondary

HB 1556 - Children, Youth and Families

HB 1557 - Ways and Means

HB 1559 - Local Government and Related Matters

HB 1560 - Social Services, Medicaid and the Elderly

HB 1561 - Transportation

HB 1562 - Governmental Organization and Review

HB 1564 - Budget

HB 1565 - Insurance

HB 1566 - Criminal Law

HB 1567 - Judiciary

HB 1568 - Ways and Means

HB 1569 - Judiciary

HB 1570 - Ways and Means

HB 1571 - Civil and Administrative Law

HB 1572 - Social Services, Medicaid and the Elderly

HB 1573 - Judiciary

HB 1574 - Criminal Law

HB 1575 - Criminal Law

HB 1576 - Local Government and Related Matters

HB 1577 - Environment and Energy

HB 1578 - Municipal Corporations

HB 1579 - Judiciary

HB 1580 - Environment and Energy

HB 1581 - Civil and Administrative Law

HB 1582 - Professional Registration and Licensing

HB 1583 - Retirement

HB 1584 - Public Health and Safety

HB 1585 - Criminal Law

HB 1586 - Local Government and Related Matters

HB 1587 - Tourism, Recreation and Cultural Affairs

HB 1588 - Insurance

HB 1589 - Motor Vehicle and Traffic Regulations

HB 1590 - Consumer Protection

HB 1591 - Professional Registration and Licensing

HB 1592 - Professional Registration and Licensing

HB 1593 - Local Government and Related Matters

HB 1594 - Local Government and Related Matters

HB 1595 - Education - Elementary and Secondary

HB 1596 - Transportation

HB 1597 - Professional Registration and Licensing

HB 1598 - Criminal Law

HB 1599 - Retirement

HB 1600 - Agri-Business

HB 1601 - Professional Registration and Licensing

HB 1602 - Education - Elementary and Secondary

HB 1603 - Budget

HB 1604 - Education - Elementary and Secondary

HB 1605 - Correctional and State Institutions

HB 1606 - Banks and Financial Institutions

HB 1607 - Retirement

HB 1610 - Local Government and Related Matters

HB 1611 - Ways and Means

HB 1612 - Education - Elementary and Secondary

HB 1613 - Criminal Law

HB 1614 - Judiciary

HB 1615 - Professional Registration and Licensing

HB 1616 - Judiciary

HB 1617 - Utilities Regulation

HB 1618 - Motor Vehicle and Traffic Regulations

HB 1619 - Education - Elementary and Secondary

HB 1621 - Judiciary

HB 1622 - Local Government and Related Matters

HB 1623 - Education - Elementary and Secondary

HB 1624 - Motor Vehicle and Traffic Regulations

HB 1625 - Social Services, Medicaid and the Elderly

HB 1626 - Motor Vehicle and Traffic Regulations

HB 1627 - Judiciary

HB 1628 - Elections

HB 1629 - Public Health and Safety

HB 1630 - Local Government and Related Matters

HB 1631 - Transportation

HB 1632 - Education - Elementary and Secondary

HB 1633 - Criminal Law

HB 1634 - Labor

HB 1635 - Education - Higher

HB 1636 - Local Government and Related Matters

HB 1637 - Children, Youth and Families

HB 1639 - Municipal Corporations

HB 1640 - Ways and Means

HB 1641 - Tourism, Recreation and Cultural Affairs

HB 1654 - Consumer Protection

HB 1694 - Education - Higher

COMMITTEE REPORTS

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 922**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 971**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Correctional and State Institutions, Chairman Crump reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1167**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Governmental Organization and Review, Chairman Murray reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 927**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1195**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1473**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HJR 39**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Joint Resolution No. 39, Page 2, Section 39(f), Line 2, by inserting immediately after the word "**person**" the words "**who is at least eighteen years of age**"; and

Further amend said bill, Page 2, Section 39(f), Line 3, by inserting immediately after the word "**prize**" the words "**when such lottery or contest is conducted by a not for profit charitable organization**".

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HB 1144**, begs leave to report it has examined the same and recommends that it **Do Pass.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1720, introduced by Representative Dolan, et al, relating to the regulation of the alarm business.

HB 1721, introduced by Representative Sallee, relating to hospital districts.

HB 1722, introduced by Representative Crawford, et al, relating to telecommunications.

HB 1723, introduced by Representative Thomason (163), relating to salvage motor vehicles.

HB 1724, introduced by Representative Dougherty, et al, relating to a state vehicle fleet manager.

HB 1725, introduced by Representative Dougherty, et al, relating to exceptions to licensure requirements for certain child care facilities.

HB 1726, introduced by Representative Troupe, et al, relating to the office of corrections ombudsman.

HB 1727, introduced by Representative Shelton (57), relating to prohibiting the use or sale of radar detectors.

HB 1728, introduced by Representative Ostmann, relating to authorizing the governor to convey certain property located in the city of O'Fallon to the Fort Zumwalt R-II School District.

HB 1729, introduced by Representative Scheve, relating to certain boundary commissions.

HB 1730, introduced by Representative Townley, relating to the operating of a motor vehicle.

HB 1731, introduced by Representative Gratz, et al, relating to the student curator to the board of curators of Lincoln University.

HB 1732, introduced by Representative Lakin, relating to definitions for certificate of need.

HB 1733, introduced by Representative Schilling, relating to disqualification for employment with the department of health.

HB 1734, introduced by Representatives Backer and Kreider, et al, relating to county budgets.

HB 1735, introduced by Representative Wiggins, et al, relating to soil and water conservation districts.

COMMITTEE CHANGE

Representative Bartlett has been appointed a member of the Appropriations - Health and Mental Health.

WITHDRAWAL OF HOUSE BILL

February 5, 1998

Honorable Steve Gaw

Speaker

Missouri House of Representatives

Capitol Building, Rm. 308

Jefferson City, Missouri 65101

Dear Mr. Speaker:

I respectfully withdraw **House Bill No. 1669**.

Respectfully submitted,

/s/ Timothy P. Green

State Representative

District 73

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, February 10, 1998.

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Tuesday, February 10, 1998, 9:00 am. Hearing Room 9.

AGRI-BUSINESS

Wednesday, February 11, 1998. Side gallery upon adjournment. Executive session.

AGRICULTURE

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 9.

Executive session on previously heard bills.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, February 10, 1998, 10:45 am. Hearing Room 7. Dept. of Public Safety.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 11, 1998, 10:45 am. Hearing Room 7. AMENDED.

Finish Departmentof Public Safety. Executive session. Attendance required.

To be considered - Executive Session - HB 1002, Executive Session - HB 1003,

Executive Session - HB 1008, Executive Session - HB 1012

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, February 12, 1998, 10:45 am. Hearing Room 7.

Call back any agencies if necessary, and executive session if necessary.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 10, 1998. Hearing Room 9 upon morning adjournment.

Executive session and mark up.

To be considered - HB 1004, HB 1005, HB 1012

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 11, 1998. Hearing Room 9 upon morning adjournment if necessary.

Executive session and mark up.

To be considered - HB 1004, HB 1005, HB 1012

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 10, 1998. Hearing Room 6 upon morning adjournment.

Dept. of Health and Mental Health mark up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 11, 1998. Hearing Room 6 upon morning adjournment.

Dept. of Health and Mental Health mark up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 10, 1998. Hearing Room 8 upon adjournment.

Mark up Dept. of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 11, 1998. Hearing Room 8 upon adjournment.

Mark up Dept. of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 12, 1998. Hearing Room 8 upon adjournment.

Finish mark up if necessary.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 10, 1998. Hearing Room 1 and 2 upon adjournment.

Dept. of Social Services mark up HB 1011.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 11, 1998. Hearing Room 1 and 2 upon adjournment.

Dept. of Social Services mark up HB 1011.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 12, 1998. Hearing Room 1 and 2 upon adjournment.

Dept. of Social Services mark up HB 1011.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 6. AMENDED.

Executive session to follow.

To be considered - HB 1189

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 11, 1998, 7:30 pm. Hearing Room 8.

To be considered - HB 1141, HB 1231, HB 1258, HB 1274

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 1. Executive session to follow.

To be considered - HB 1093, HB 1391, HB 1404, HB 1406, HB 1442, HB 1527, HB 1528

COMMERCE

Wednesday, February 11, 1998, 8:00 pm. Hearing Room 6. Executive session may follow.

To be considered - HB 1126

CONSUMER PROTECTION

Tuesday, February 10, 1998, 8:00 pm. Hearing Room 7.

To be considered - HB 1380, HB 1654

CRIMINAL LAW

Wednesday, February 11, 1998, 8:00 pm. Hearing Room 9. Executive session may follow.

AMENDED

To be considered - HB 984, HB 1098, HB 1252, HB 1040, HB 1286, HB 1122, HB 999

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 10, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1086, HB 1087, HB 1088, HB 1265, HB 1110, HB 1232

ELECTIONS

Tuesday, February 10, 1998, 7:30 pm. Hearing Room 8.

To be considered - HB 985, HB 1482, Executive Session - HB 1273,

Executive Session - HB 893, Executive Session - HB 943

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 11, 1998, 8:30 am. Hearing Room 8. Possible executive session.

To be considered - HB 1510

INSURANCE

Tuesday, February 10, 1998, 8:00 am. Hearing Room 8. Executive session may follow.

To be considered - HB 1090, HB 1198, HB 1451, HB 1374, HB 1383

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 11, 1998, 8:30 am. Hearing Room 9.

Presentation of Oversight Reports and other business.

JUDICIARY

Tuesday, February 10, 1998, 3:00 pm. Hearing Room 5.

To be considered - HB 1127, HB 1276, HB 1309, HB 1368, HB 1444

LABOR

Tuesday, February 10, 1998, 8:00 pm. Hearing Room 6.

To be considered - HB 1139, Executive Session - HB 1038

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 10, 1998, 3:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - HB 1304, HB 1306, HB 944, HB 1158, HB 1164, HB 1267, HB 1392, HB 1293, HB 1531

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 11, 1998, 9:00 am. Hearing Room 6. Executive session may follow.

To be considered - HB 1073

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 10, 1998, 3:00 pm. Hearing Room 7. Executive session to follow.

To be considered - HB 1055, HB 1434, HB 929, HB 930, HB 978, HB 1176, HB 1054, HB 1255, HB 1280, HB 1410, HB 1501, HB 1207, HB 1092, HB 1238, HB 1300, HB 1523

MUNICIPAL CORPORATIONS

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 7. Executive session.

To be considered - HB 1416, HB 1517, HB 1425

PUBLIC HEALTH AND SAFETY

Tuesday, February 10, 1998, 3:00 pm. Hearing Room 9. Executive session may follow.

To be considered - HB 1489, HB 1402, HB 1302

PUBLIC HEALTH AND SAFETY

Tuesday, February 17, 1998, 7:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - HB 1257, HB 1397

RETIREMENT

Wednesday, February 11, 1998, 8:00 pm. Hearing Room 7. Executive session may follow.

To be considered - HB 1299, HB 1454, HB 1455, HB 1503, HB 1295

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, February 10, 1998, 8:00 pm. Hearing Room 5. Possible executive session.

To be considered - HB 1261, HB 1537, HB 1476

STATE PARKS, NATURAL RESOURCES & MINING

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 3 and 4. Executive session to follow.

To be considered - HB 1430, HB 1414, HB 1525

SUB-COMMITTEE ENERGY AND ENVIRONMENT

Tuesday, February 10, 1998, 6:00 pm. Hearing Room 1 and 2. Reformulated gas.

SUB-COMMITTEE RELATING TO USE OF WEB SITERS

Wednesday, February 11, 1998, 12:00 pm. Hearing Room 5. Guidelines for Web Sites.

WAYS AND MEANS

Tuesday, February 10, 1998, 3:00 pm. Hearing Room 6. Executive session to follow.

To be considered - HB 1256, HB 1474, HB 1339, HB 1437, HB 1498, HB 1495, HB 1297, HB 1338, HB 1507

HOUSE CALENDAR

Twentieth Day, Tuesday, February 10, 1998

HOUSE BILLS FOR SECOND READING

HB 1720 through HB 1735

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1014 - Franklin

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins


Missouri House of Representatives

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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

TWENTIETH DAY, TUESDAY, February 10, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Your thunder resounded in the whirlwind; your lightning illumined the world, the earth quivered and quaked." (Ps. 77:19).

Every time the weather is severe, I am in awe of its power and sometimes afraid. It usually reflects on the insecurity I feel in a car and even in a secure home, we are so vulnerable to powers beyond our control. El Nino is ever present to remind us of how frail we are as we watch expensive homes in Malibu wash into the ocean.

Eternal God, today we know that we can explain and have some sense of power over the weather with Doppler radar and our understanding of science, but we still need to see Your ultimate authority at work. May it be one further reminder of the need to rely on You, and credit You with the source of all that is, and all that we have and surrender to Your marvelous ways even when we are confounded by Your majesty and suffer from the human condition. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kevin Baszis, John Herget, Vince Chandler, Cynthia Allmeyer, Lindsey Best, Jeffrey Schuepfer, Brett Kinsley, Holly Duncan, Alaina Jacobson, Matthew Resch, Jessica E. Cockrum, Ashley E. Gray, Courtney M. Sawhill, Kristen D. Noss, Serenity Stuart, Aleksandr Ivanov, Olga Sajhova, Julia Pimashkova, Stanislao Makfimov and Ali Roam.

The Journal of the nineteenth day was approved as correct by the following vote:

AYES: 159

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Murphy Secrest Shear

VACANCY: 001

RESOLUTIONS

Representative Marble offered House Resolution No. 209, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Nordwald offered House Resolution No. 210, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Holand offered House Resolution No. 211 and House Resolution No. 212, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crawford offered House Resolution No. 213.

Representative Crawford offered House Resolution No. 214, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Thompson (72) offered House Resolution No. 215 and House Resolution No. 216, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crawford offered House Resolution No. 217, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Akin offered House Resolution No. 218, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Scott, et al, offered House Concurrent Resolution No. 15.

SECOND READING OF HOUSE BILLS

HB 1720 through **HB 1735** were read the second time.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1588 - Education - Higher

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred HB 972 and HB 1310, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Education - Elementary and Secondary, Chairman Stoll reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred HB 1469, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Federal-State Relations and Veterans Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Federal-State Relations and Veterans Affairs, to which was referred HB 1519 and HB 1165, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred HB 1620, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

COMMITTEE CHANGES

The Speaker submitted the following Committee Changes:

Representative Crawford has been appointed a member of the Miscellaneous Bills and Resolutions Committee.

Representative Lawson has been appointed a member of the Environment and Energy Committee and is no longer a member of the Criminal Law Standing Committee.

Representative DeMarce has been appointed a member of the Criminal Law Committee and is no longer a member of the Environment and Energy Committee.

Representative Townley has been appointed a member of the Joint Committee on Legislative Research.

Representative Harlan has been appointed a member of the Joint Committee on Capital Improvements-Statutory.

Representative Richardson has been appointed a member of the Banks and Financial Institutions Committee.

Representative Fitzwater has been appointed a member of the Appropriations - Natural and Economic Resources Committee.

Representative Clayton is no longer a member of the Appropriations - Natural and Economic Resources Committee.

Representative Bartlett has been appointed a member of the Appropriations - Health and Mental Health Committee.

Representative Patek has been appointed a member of the Federal-State Relations and Veterans Affairs Committee.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1736, introduced by Representatives Riback Wilson, Gunn, Kelley (47) and Kasten, et al, relating to the family investment trust act.

HB 1737, introduced by Representatives Riback Wilson, Mays (50) and McClelland, et al, relating to the disclosure of employment information.

HB 1738, introduced by Representatives Crump and Kreider, relating to the state soil and water districts commission.

HB 1739, introduced by Representative Surface, relating to county revenue collector's offices.

HB 1740, introduced by Representatives Edwards-Pavia and Hoppe, relating to certain emergency treatment.

HB 1741, introduced by Representatives Harlan and Auer, relating to the Missouri property and casualty insurance guaranty association.

HB 1742, introduced by Representatives May (108) and O'Toole, relating to motor vehicle emissions inspections.

HB 1743, introduced by Representative Kelly (27), et al, relating to the regulation of the practice of medical nutrition therapy.

HB 1744, introduced by Representative Akin, relating to property exempt from attachment.

HB 1745, introduced by Representatives Monaco and Hoppe, relating to certain contracts for public works projects.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

State of Missouri

February 10, 1998

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

89TH GENERAL ASSEMBLY

SECOND REGULAR SESSION

STATE OF MISSOURI

Herewith I return to you House Concurrent Resolution No. 3 entitled:

"AN ACT"

The Missouri House of Representatives of the 89th General Assembly, the Senate concurring therein, hereby disapprove the regulation promulgated by the state tax commission pursuant to section 137.021, RSMo, establishing agricultural land values.

On February 10, 1998, I approved said House Concurrent Resolution No. 3.

Respectfully submitted

/s/ Mel Carnahan

Governor

WITHDRAWAL OF HOUSE BILLS

February 9, 1998

The Honorable Steve Gaw

Speaker, Missouri House of Representatives

State Capitol

Jefferson City, MO 65101

RE: HB 1285

Dear Mr. Speaker:

I am requesting to withdraw my bill, HB 1285 pending information regarding the appropriate penalties and enforcement. Thank you.

Sincerely,

/s/ Marilyn Edwards-Pavia

State Representative

District 105

February 9, 1998

Honorable Steve Gaw

House Post Office

Jefferson City, MO 65101

Dear Steve:

I recently learned about, obtained, and reviewed a ruling by the U.S. Supreme Court on a case involving another state's law which was similar to the provisions I have proposed in House Bill 1178. After reviewing the court's decision, which centered on issues of free speech, I believe it would be futile to work toward passing the bill. For that reason, would you please withdraw the bill from consideration.

Thank you for your consideration.

Sincerely,

/s/ Norma Champion

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 11, 1998.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Nineteenth Day, Monday, February 9, 1998, Page 211, Line 4, by deleting the following: "HJR 45 - Transportation" and inserting in lieu thereof the following:

"HJR 45 - Local Government and Related Matters".

COMMITTEE MEETINGS

AGRI-BUSINESS

Wednesday, February 11, 1998. Side gallery upon adjournment. Executive session.

AGRICULTURE

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 9.

Executive session on previously heard bills.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 11, 1998, 10:45 am. Hearing Room 7. AMENDED.

Finish Department of Public Safety. Executive session. Attendance required.

To be considered - Executive Session - HB 1002, Executive Session - HB 1003,

Executive Session - HB 1008, Executive Session - HB 1012

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, February 12, 1998, 10:45 am. Hearing Room 7.

Call back any agencies if necessary, and executive session if necessary.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 11, 1998. Hearing Room 9 upon morning adjournment if necessary.

Executive session and mark up.

To be considered - HB 1004, HB 1005, HB 1012

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 11, 1998. Hearing Room 6 upon morning adjournment.

Dept. of Health and Mental Health mark up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 11, 1998. Hearing Room 8 upon adjournment.

Mark up Dept. of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 12, 1998. Hearing Room 8 upon adjournment.

Finish mark up if necessary.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 11, 1998. Hearing Room 1 and 2 upon adjournment.

Dept. of Social Services mark up HB 1011.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 12, 1998. Hearing Room 1 and 2 upon adjournment. REVISED NOTICE.

Dept. of Corrections mark up HB 1009.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 6. AMENDED.

Executive session to follow.

To be considered - HB 1189

BUDGET

Thursday, February 12, 1998, 9:00 am. Hearing Room 6. Possible executive session to follow.

To be considered - HJR 32, HB 1229

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 11, 1998, 7:30 pm. Hearing Room 8.

To be considered - HB 1141, HB 1231, HB 1258, HB 1274

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 1. Executive session to follow.

To be considered - HB 1093, HB 1391, HB 1404, HB 1406, HB 1442, HB 1527, HB 1528

COMMERCE

Wednesday, February 11, 1998, 8:00 pm. Hearing Room 6. Executive session may follow.

To be considered - HB 1126

CONSUMER PROTECTION

Wednesday, February 11, 1998. Side gallery immediately upon adjournment.

To be considered - Executive Session - HB 1380, Executive Session - HB 993,

Executive Session - HB 980, Executive Session - HB 924, Executive Session - HB 1323,

Executive Session - HB 1654

CRIMINAL LAW

Wednesday, February 11, 1998, 8:00 pm. Hearing Room 9.

Executive session may follow. AMENDED

To be considered - HB 984, HB 1098, HB 1252, HB 1040, HB 1286, HB 1122, HB 999, HB 1554

EDUCATION - HIGHER

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1694, Executive Session - HB 926, Executive Session - HB 1363,

Executive Session - HR 117

ENVIRONMENT AND ENERGY

Thursday, February 12, 1998, 8:30 am. Hearing Room 3 and 4. Executive session to follow.

To be considered - HB 1394, HB 1475

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 11, 1998, 8:30 am. Hearing Room 8. Possible executive session.

To be considered - HB 1510

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 11, 1998, 8:30 am. Hearing Room 9.

Presentation of Oversight Reports and other business.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 11, 1998, 9:00 am. Hearing Room 6. Executive session may follow.

To be considered - HB 1073

MUNICIPAL CORPORATIONS

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 7. Executive session.

To be considered - HB 1416, HB 1517, HB 1425

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 11, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 1190, HB 1462, HB 1450, HB 1479, HB 1592, HB 1591, HB 1615

PROFESSIONAL REGISTRATION & LICENSING

Thursday, February 12, 1998, 9:30 am. Room 401. Executive session.

PUBLIC HEALTH AND SAFETY

Tuesday, February 17, 1998, 7:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - HB 1257, HB 1397

RETIREMENT

Wednesday, February 11, 1998, 8:00 pm. Hearing Room 7. Executive session may follow.

AMENDED

To be considered - HB 1299, HB 1454, HB 1455, HB 1503, HB 1295, HB 1463,

HB 1583, HB 1599, HB 1607

STATE PARKS, NATURAL RESOURCES & MINING

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 3 and 4. Executive session to follow.

To be considered - HB 1430, HB 1414, HB 1525

SUB-COMMITTEE RELATING TO USE OF WEB SITERS

Wednesday, February 11, 1998, 12:00 pm. Hearing Room 5.

Guidelines for Web Sites. CANCELLED

TRANSPORTATION

Wednesday, February 11, 1998, 3:00 pm. Hearing Room 5. Executive session may follow.

To be considered - HB 948, HB 1099, HB 1294, HB 1596

UTILITIES REGULATION

Thursday, February 12, 1998, 8:30 am. Hearing Room 8. Executive session to follow.

To be considered - HB 1371

HOUSE CALENDAR

Twenty-first Day, Wednesday, February 11, 1998

HOUSE BILLS FOR SECOND READING

HB 1736 through HB 1745

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1014 - Franklin

HOUSE BILLS FOR PERFECTION

HCS HB 1469 - Relford

HCS HB 1167 - Relford

HCS HB 1620 - Overschmidt

HCS HB 1519 & 1165 - Boucher

HCS HB 922 - Gratz

HB 1473 - Hoppe

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins


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House Journal

Second Regular Session, 89th General Assembly

TWENTY-FIRST DAY, Wednesday, February 11, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"You know that while all the runners in the stadium take part in the race, the award goes to one." (1 Cor. 9:24).

Two stories from today's news: the movie, Titanic, got 14 Academy award nominations, this time last year the film itself was being written off as a sinking disaster because of its cost and delays. The other story is about how Olympic judges decide on the final score in the pairs figure skating competition - they watch the practices and they see more than, and judge by more than, what is seen in the actual final competition.

This morning, our hearts turn to you our God for those times in our lives when everything seems impossible and we are tempted to throw it in. The story of the Titanic's overwhelming success inspires us. Today, we can also learn from the Olympic judges and use that as a metaphor for You, our God. You look into our hearts, behind the scenes as it were, watching the practice and You do not judge by the externals or one isolated action in our lives. May we apply that same standard to others, having some compassion for their struggle, the unseen work behind the scenes in their lives. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alex Ormsby, Danyel Nobles, Dane Batson, Christopher Brandt, Aaron Burge, Ryan Clodfelter, Blake Collins, James Gieselmann, Jr., James Guise, Jim Hartline, Warren Kearbey, Larry Leeds, Jr., Joe W. Marquis, Devin Myrick, Benjamin Nobles, Kenrick Nobles, D. Michael Priest, Chris Richardson, Jared Stark, D. Eric Ward, Chad White, Joseph Woodruff, Timmy Wymore and Crystal Leeds.

The Journal of the twentieth day was approved as printed by the following vote:

AYES: 162

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 000

VACANCY: 001

RESOLUTIONS

Representative Crawford offered House Resolution No. 219, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Elliott offered House Resolution No. 220, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pouche offered House Resolution No. 221 and House Resolution No. 222, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crawford offered House Resolution No. 223, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Loudon offered House Resolution No. 224, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 225, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 226, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1736 through **HB 1745** were read the second time.

COMMITTEE REPORT

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution No. 162** through **House Resolution No. 212,** and **House Resolution No. 214** through **House Resolution No. 218**, begs leave to report it has examined the same and recommends that they **Do Pass**.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 1014, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1014, Page 2, Section 14.038, by deleting all of said section and inserting in lieu thereof the following:

Section 14.038. To the Department of Transportation

For the Transit Program

For the purpose of funding grants under Section 5309, Title 49,

United States Code for a feasibility Study of commuter

rail transportation services, to be expended on an 80%

Federal, 10% State, and 10% Local basis

From General Revenue Fund $ 62,500

From Federal Funds 500,000

From Local Funds 62,500

Total $625,000

Representative McClelland offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1014, Page 2, Section 14.038, by deleting all of section 14.038.

Representative McClelland moved that House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Franklin, House Amendment No. 1 was adopted.

Representative Green offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1014, Page 3, Section 14.045, by deleting said Section and inserting in lieu thereof the following:

"Section 14.045. To the Office of Administration

For the Ethics Commission

Expense and Equipment

From General Revenue Fund $222,400"

On motion of Representative Green, House Amendment No. 2 was adopted.

Representative Leake offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1014, Page 7, Section 14.145, Line 4, by inserting immediately thereafter one new section to read as follows:

Section 14.150. To the Senate

For Joint Contingent Expenses

From General Revenue Fund $150,000

On motion of Representative Leake, House Amendment No. 3 was adopted.

Representative Franklin offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1014, Page 2, Section 14.025, Line 4, by deleting the figure "163,000" and inserting in lieu thereof the figure "400,000".

On motion of Representative Franklin, House Amendment No. 4 was adopted.

Representative Patek offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1014, Page 3, Section 14.040, Line 7, by deleting lines 7, 8 and 9 of said section.

Representative Patek moved that House Amendment No. 5 be adopted.

Which motion was defeated.

On motion of Representative Franklin, **HCS HB 1014, as amended,** was adopted.

On motion of Representative Franklin, **HCS HB 1014, as amended,** was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 47 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1642 - Elections

HB 1643 - Critical Issues

HB 1644 - Labor

HB 1645 - Ways and Means

HB 1646 - Ways and Means

HB 1647 - Insurance

HB 1648 - Correctional and State Institutions

HB 1649 - Criminal Law

HB 1650 - Criminal Law

HB 1651 - Elections

HB 1653 - Civil and Administrative Law

HB 1655 - Criminal Law

HB 1656 - Ways and Means

HB 1657 - Governmental Organization and Review

HB 1659 - Judiciary

HB 1660 - Judiciary

HB 1661 - Ways and Means

HB 1662 - Civil and Administrative Law

HB 1664 - Local Government and Related Matters

HB 1665 - Judiciary

HB 1666 - Ways and Means

HB 1667 - Civil and Administrative Law

HB 1668 - Local Government and Related Matters

HB 1671 - Critical Issues

HB 1672 - Criminal Law

HB 1673 - Criminal Law

HB 1674 - Commerce

HB 1675 - Banks and Financial Institutions

HB 1676 - Agri-Business

HB 1677 - Utilities Regulation

HB 1678 - Budget

HB 1679 - Transportation

HB 1680 - Transportation

HB 1681 - Transportation

HB 1682 - Transportation

HB 1683 - Education - Elementary and Secondary

HB 1684 - Social Services, Medicaid and the Elderly

HB 1685 - Urban Affairs

HB 1686 - Professional Registration and Licensing

HB 1687 - Municipal Corporations

HB 1688 - Public Health and Safety

HB 1689 - Governmental Organization and Review

HB 1690 - Education - Elementary and Secondary

HB 1692 - Education - Elementary and Secondary

HB 1693 - Ways and Means

HB 1695 - Local Government and Related Matters

HB 1696 - Motor Vehicle and Traffic Regulations

HB 1698 - Local Government and Related Matters

HB 1699 - Utilities Regulation

HB 1700 - Workers Compensation and Employment Security

HB 1701 - Transportation

HB 1702 - Education - Elementary and Secondary

HB 1703 - Criminal Law

HB 1704 - Agriculture

HB 1705 - Local Government and Related Matters

HB 1707 - Banks and Financial Institutions

HB 1708 - Correctional and State Institutions

HB 1709 - Correctional and State Institutions

HB 1710 - Motor Vehicle and Traffic Regulations

HB 1711 - Children, Youth and Families

HB 1712 - Environment and Energy

HB 1713 - Miscellaneous Bills and Resolutions

HB 1714 - Criminal Law

HB 1715 - Education - Elementary and Secondary

HB 1716 - Judiciary

HB 1717 - Critical Issues

HB 1718 - Federal-State Relations and Veterans Affairs

HB 1719 - Judiciary

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Williams (159) reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1240**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Consumer Protection, Chairman McLuckie reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **HB 1323**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1147, HB 1435, HB 1050, HB 1186** and **HB 1108**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Social Services, Medicaid and the Elderly, Chairman Gunn reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1197**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Urban Affairs, Chairman Thompson (37) reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HB 1091**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1546, HB 1305** and **HB 1275**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1746, introduced by Representatives Surface and Graham (24), relating to motor vehicle registration.

HB 1747, introduced by Representative Ostmann, to authorize the governor to convey certain property located in the city of O'Fallon to the Fort Zumwalt R-II School District.

HB 1748, introduced by Representative Wannenmacher, relating to child labor.

HB 1749, introduced by Representatives Ladd Stokan and Ridgeway, et al, relating to the care of residents in long-term care facilities.

HB 1750, introduced by Representative Schwab, relating to telemarketing practices.

HB 1751, introduced by Representative Kreider, relating to community colleges.

HB 1752, introduced by Representative Dougherty, relating to child protection.

HB 1753, introduced by Representative Treadway, relating to funeral directors.

HB 1754, introduced by Representative Scott, et al, relating to taxation.

HB 1755, introduced by Representative Froelker, relating to operating a motor vehicle.

HB 1756, introduced by Representative Foster, et al, relating to voluntary cancellation of automobile insurance.

HB 1757, introduced by Representative Foster, et al, relating to motor vehicles.

WITHDRAWAL OF HOUSE BILL

February 10, 1998

The Honorable Steve Gaw

Speaker

Missouri House of Representatives

Capitol Building, Room 308

Jefferson City, Missouri 65101

Dear Mr. Speaker:

I respectfully withdraw **House Bill 1728**.

Respectfully submitted,

/s/ Cindy Ostmann

State Representative

District 14

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 12, 1998.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, February 12, 1998, 10:45 am. Hearing Room 7.

Call back any agencies if necessary, and executive session if necessary.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 12, 1998. Hearing Room 8 upon adjournment.

Finish mark up if necessary - CANCELLED.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 12, 1998. Hearing Room 1 and 2 upon adjournment.

Dept. of Social Services mark up HB 1011.

BUDGET

Thursday, February 12, 1998, 9:00 am. Hearing Room 6. Possible executive session to follow.

To be considered - HJR 32, HB 1229

CRITICAL ISSUES

Thursday, February 12, 1998, 9:00 am. Hearing room 9.

To be considered - Executive Session - HB 1412

ELECTIONS

Thursday, February 12, 1998. Immediately Upon Adjournment. Side Gallery - Northeast Corner.

Executive session.

To be considered - HCS HB 1273

ENVIRONMENT AND ENERGY

Thursday, February 12, 1998, 8:30 am. Hearing Room 3 and 4. Executive session to follow.

To be considered - HB 1394, HB 1475

INSURANCE

Tuesday, February 17, 1998, 8:30 am. Hearing Room 8. Executive session may follow.

To be considered - HB 1565, HB 1504, HB 1175

PROFESSIONAL REGISTRATION & LICENSING

Thursday, February 12, 1998, 9:30 am. Room 401. Executive session.

PUBLIC HEALTH AND SAFETY

Tuesday, February 17, 1998, 7:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - HB 1257, HB 1397

UTILITIES REGULATION

Thursday, February 12, 1998, 8:30 am. Hearing Room 8. Executive session to follow.

To be considered - HB 1371

HOUSE CALENDAR

Twenty-second Day, Thursday, February 12, 1998

HOUSE BILLS FOR SECOND READING

HB 1746 through HB 1757

HOUSE BILLS FOR PERFECTION

HCS HB 1469 - Relford

HCS HB 1167 - Relford

HCS HB 1620 - Overschmidt

HCS HB 1519 & 1165 - Boucher

HCS HB 922 - Gratz

HB 1473 - Hoppe

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

COURTESY RESOLUTIONS

HR 162 - DeMarce

HR 163 - Scott

HR 164 - Holand

HR 165 - Bennett

HR 166 - Williams (159)

HR 167 - Richardson

HR 168 - Naeger

HR 169 - McClelland

HR 170 - Surface

HR 171 - Scott

HR 172 - Gaw

HR 173 - Vogel

HR 174 and HR 175 - Hartzler (124)

HR 176 - May (108)

HR 177 - Naeger

HR 178 through HR 181 - Berkstresser

HR 182 - Kasten

HR 183 - Mays (50)

HR 184 - Crawford

HR 185 - Patek

HR 186 - Dolan

HR 187 - Gaw

HR 188 - Patek

HR 189 through HR 198 - Howerton

HR 199 through HR 201 - Richardson

HR 202 - Scheve

HR 203 - Summers

HR 204 - Backer

HR 205 - Foster

HR 206 - Steen

HR 207 - Ransdall

HR 208 - Mays (50)

HR 209 - Marble

HR 210 - Nordwald

HR 211 and HR 212 - Holand

HR 214 - Crawford

HR 215 and HR 216 - Thompson (72)

HR 217 - Crawford

HR 218 - Akin


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House Journal

Second Regular Session, 89th General Assembly

TWENTY-SECOND DAY, Thursday, February 12, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Doyle Sager.

Our Father in Heaven, we ask You to bless this new day, and that You guide our thoughts and deeds into useful and honorable paths. We thank You for the privilege of serving You and others. Cause us to be good, careful stewards of our power and influence. Bless the deliberations of this assembly. Work through this process, that justice might be accomplished. Help each one of us to rise above the pettiness that would paralyze us and to rise above the lust for power that would make a mockery of the noble privilege of service. Instill in us wisdom and a sense of Your grace and goodness. And when the day is finished, may we be able to say that we have had a part in making **Your** world a better place.

In Your name we pray, Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-first day was approved as printed by the following vote:

AYES: 159

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wiggins

Williams 121 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Gunn Wannenmacher Williams 159

VACANCY: 001

RESOLUTIONS

Representative DeMarce offered House Resolution No. 227 through House Resolution No. 229, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Thompson (37) offered House Resolution No. 230 and House Resolution No. 231, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 232 and House Resolution No. 233, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Farnen offered House 234, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shields offered House Resolution No. 235, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution No. 162 through House Resolution No. 212 and House Resolution No. 214 through House Resolution No. 218 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution No. 162 through House Resolution 212 and House Resolution No. 214 through House Resolution No. 218 were adopted.

SECOND READING OF HOUSE BILLS

HB 1746 through **HB 1757** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1469, relating to certification of teachers, was taken up by Representative Relford.

Representative Lograsso offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1469, Page 2, Section 168.071, Line 30, by deleting the word "may" and inserting in lieu thereof the word "shall" in both places the word "may" appears and by deleting the word "or" on said line and inserting in lieu thereof the word "and"

Representative Lograsso moved that House Amendment No. 1 be adopted.

Which motion was defeated.

Representative Relford offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1469, Page 2, Section 168.071, Line 33, by inserting immediately after the word "**pleaded**", the word "**guilty**".

On motion of Representative Relford, House Amendment No. 2 was adopted.

Representative Marble offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1469, Page 3, Section 168.071, Line 82, by adding after

said line the following:

8. Substitute teachers shall be included in the above guidelines based upon an annual certification process.

On motion of Representative Marble, House Amendment No. 3 was adopted.

Representative Hartzler (124) offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1469, Page 3, Section 1, Line 83, by adding:

Section 1. No teacher shall be certified in elementary or early childhood education after August 28, 2000, if such teacher has not had training in the teaching of phonics, constituting a substantial part of at least one of the courses in the eight-hour total required for reading. No teacher currently certified in elementary or early childhood education shall be recertified after August 28, 2004, without a passing grade in a three-hour course in methods of teaching reading, a substantial part of which is devoted to the teaching of phonics.

Section 2. The state board of education shall adopt a model code of ethics for the profession of teaching by January 1, 2000. The code shall outline the principles and standards of professional behavior expected of Missouri teachers. The code shall serve as a model guide to ethical conduct for teachers, administrators, local districts, and the department of elementary and secondary education. The code shall set forth the conduct that is related to a teacher's performance of professional responsibilities that is considered to be proper ethical behavior, as well as define that conduct considered by the education profession to be unethical and which justifies disciplinary sanction as determined by the local or state board of education.

Representative Relford raised a point of order that House Amendment No. 4 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Kauffman requested a division of the question.

House Amendment No. 4

PART I

AMEND House Committee Substitute for House Bill No. 1469, Page 3, Section 1, Line 83, by adding:

Section 1. No teacher shall be certified in elementary or early childhood education after August 28, 2000, if such teacher has not had training in the teaching of phonics, constituting a substantial part of at least one of the courses in the eight-hour total required for reading. No teacher currently certified in elementary or early childhood education shall be recertified after August 28, 2004, without a passing grade in a three-hour course in methods of teaching reading, a substantial part of which is devoted to the teaching of phonics.

Representative Hartzler (124) moved that Part I of House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 073

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Crawford

DeMarce Dolan Donovan Elliott Enz

Evans Foster Froelker Gaskill Gaston

Gibbons Graham 106 Griesheimer Gross Hartzler 123

Hartzler 124 Hegeman Hendrickson Hohulin Holand

Howerton Kasten Kelley 47 Klindt Legan

Levin Linton Lograsso Long Loudon

Marble McClelland Merideth Miller Murphy

Naeger Ostmann Patek Pouche Pryor

Purgason Reinhart Richardson Ridgeway Robirds

Ross Sallee Schwab Scott Secrest

Sheldon 104 Shields Steen Summers Townley

Troupe Vogel Wooten

NOES: 078

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Clayton Copeland Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days Dougherty

Farnen Fitzwater Foley Ford Fritts

Graham 24 Gratz Green Hagan-Harrell Harlan

Heckemeyer Hickey Hollingsworth Hoppe Hosmer

Johnson Kauffman Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Liese Luetkenhaus May 108 McBride McLuckie

Monaco Murray O'Connor O'Toole Overschmidt

Parker Ransdall Relford Reynolds Rizzo

Scheve Schilling Seigfreid Shear Shelton 57

Skaggs Smith Stokan Stoll Stroker

Thomason 163 Thompson 37 Treadway Van Zandt Wiggins

Williams 121 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 011

Edwards-Pavia Franklin Gunn Hall Hilgemann

Mays 50 Nordwald Surface Thompson 72 Wannenmacher

Williams 159

VACANCY: 001

House Amendment No. 4

PART 2

AMEND House Committee Substitute for House Bill No. 1469, Page 3, Section 2, Line 83, by adding:

Section 2. The state board of education shall adopt a model code of ethics for the profession of teaching by January 1, 2000. The code shall outline the principles and standards of professional behavior expected of Missouri teachers. The code shall serve as a model guide to ethical conduct for teachers, administrators, local districts, and the department of elementary and secondary education. The code shall set forth the conduct that is related to a teacher's performance of professional responsibilities that is considered to be proper ethical behavior, as well as define that conduct considered by the education profession to be unethical and which justifies disciplinary sanction as determined by the local or state board of education.

Representative Hollingsworth offered House Amendment No. 1 to Part II of House Amendment No. 4.

House Amendment No. 1

to

Part II

of

House Amendment No. 4

AMEND Part II of House Amendment No. 4 to House Committee Substitute for House Bill No. 1469, Line 5, by deleting the word "shall" and replacing it with the word "may".

On motion of Representative Hollingsworth, House Amendment No. I to Part II of House Amendment No. 4 was adopted.

On motion of Representative Hartzler (124), Part II of House Amendment No. 4, as amended, was adopted by the following vote:

AYES: 128

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Davis 63 DeMarce

Dolan Donovan Elliott Enz Evans

Farnen Foley Foster Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Gratz

Green Griesheimer Gross Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lawson Leake Legan Levin

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 McBride McClelland Miller

Monaco Murphy Murray Naeger O'Connor

O'Toole Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Schilling Schwab Scott

Secrest Sheldon 104 Shields Steen Stokan

Stoll Stroker Summers Thomason 163 Thompson 72

Townley Troupe Van Zandt Vogel Wiggins

Williams 121 Wooten Mr. Speaker

NOES: 023

Bonner Daniels 41 Davis 122 Days Dougherty

Fitzwater Ford Graham 24 Hagan-Harrell Harlan

Lakin Liese McLuckie Merideth Ostmann

Scheve Seigfreid Shear Shelton 57 Skaggs

Smith Treadway Wilson

PRESENT: 000

ABSENT WITH LEAVE: 011

Daniel 42 Edwards-Pavia Franklin Gunn Hall

Mays 50 Nordwald Surface Thompson 37 Wannenmacher

Williams 159

VACANCY: 001

Representative Richardson offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1469, Page 3, Line 83, by adding one new section as follows:

Section A. 168.021. 1. Certificates of license to teach in the public schools of the state shall be granted as follows:

(1) By the state board, under rules and regulations prescribed by it,

(a) Upon the basis of college credit;

(b) Upon the basis of examination;

(2) By the state board, under rules and regulations prescribed by the state board with advice from the advisory

council established by section 168.015 to any individual who presents to the state board a valid doctor of philosophy degree from an accredited institution of higher education accredited by a regional accrediting association such as North Central Association. Such certificate shall be limited to the major area of postgraduate study of the holder, shall be issued only after successful completion of the examination required for graduation pursuant to section 168.033 if appropriate, and shall be restricted to those certificates established pursuant to subdivisions (1) and (2) of subsection 4 of this section **or;**

(3) By the state board, which shall permit provisional certification to a person with more than five years' teaching experience in that curriculum area and approximate grade level in another state, and permit full certification upon the satisfactory completion of five years teaching in Missouri public schools.

2. All valid teaching certificates issued pursuant to law or state board policies and regulations prior to September 1, 1988, shall continue in effect until they expire, are revoked or suspended, as provided by law. When such certificates are required to be renewed, the state board or its designee, shall grant to each holder of such a certificate the certificate most nearly equivalent to the one so held.

3. Any teacher holding a third class county certificate in the state during the 1972-73 school year shall upon his written request be given an examination by a person designated by the state commissioner of education to determine his eligibility to be granted a certificate of license to teach. The examination shall be comparable to those given by county superintendents to eligible applicants prior to July 1, 1974. Upon successful completion of the examination the applicant shall be issued a certificate by the state board of education entitling the holder to teach in the public schools of the state for a period of three years. A request for such examination must be presented to the commissioner of education on or before March first of the year in which the examination is to be administered. The commissioner of education shall cause the examination to be administered and the certificate issued to those successfully completing it prior to April first of the year in which the application for the examination was received.

4. After September 1, 1988, certificates of license to teach in the public schools of the state shall be based upon minimum requirements prescribed by the state board of education which shall provide for levels of certification including, but not limited to, an initial professional certificate and culminating with a continuous professional certificate:

(1) The initial professional certificate shall be issued upon completion of requirements established by the state board of education and shall be valid based upon verification of actual teaching within a specified time period established by the state board of education;

(2) One or more levels of renewable professional certificates shall be issued upon verification of completion of criteria established by the state board of education;

(3) The continuous professional certificate shall be issued upon verification of completion of criteria, which shall not exceed a master's degree or its equivalent and ten years employment in an educational position, established by the state board of education. The continuous professional certificate shall be continuous based upon verification of actual employment in an educational position as provided for in state board guidelines.

5. Policies and procedures shall be established by which a teacher who was not retained due to a reduction in force may retain the current level of certification. There shall also be established policies and procedures for a teacher who has not been employed in an educational position for three years or more for reasons other than reduction in force.

6. The state board shall establish policies by which residents of states other than the state of Missouri may be assessed a fee for a certificate license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing of a certificate of license to teach.

And amend the title accordingly.

Representative McClelland offered House Amendment No. 1 to House Amendment No. 5.

House Amendment No. 1 to House Amendment No. 5 was withdrawn.

Representative Kauffman offered House Amendment No. 1 to House Amendment No. 5.

House Amendment No. 1

to

House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for House Bill No. 1469, Page 1, Section 168.021, Subsection 3, Line 2, by adding the following after the word "experience"," in the preceding ten years and a valid certificate in".

On motion of Representative Kauffman, House Amendment No. 1 to House Amendment No. 5 was adopted.

On motion of Representative Richardson, House Amendment No. 5, as amended, was adopted.

Representative Froelker offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1469, Page 1, Section 168.091, Line 11, by deleting on said line "School District" and inserting in lieu thereof "Local Board of Education".

On motion of Representative Froelker, House Amendment No. 6 was adopted.

On motion of Representative Relford, ***HCS HB 1469, as amended****, was adopted.*

On motion of Representative Relford, ***HCS HB 1469, as amended,*** *was ordered perfected and printed.*

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 213 *- Miscellaneous Bills and Resolutions*

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1124 *- Critical Issues*

HB 1548 *- Local Government and Related Matters*

HB 1652 *- Agriculture*

HB 1697 *- Utilities Regulation*

HB 1706 *- Utilities Regulation*

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 1533 - Miscellaneous Bills and Resolutions

HB 1536 - Consumer Protection

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 496, entitled:

An act to repeal sections 571.010 and 571.080, RSMo 1994, relating to the transfer of concealable firearms, and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 537, entitled:

An act to amend chapters 404 and 456, RSMo, by adding thereto two new sections relating to powers of certain legal representatives.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 626, entitled:

An act Chapter 407, RSMo, is amended by adding thereto one new section relating to certain farm and industrial equipment dealers and manufacturers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 555, entitled:

An act to repeal sections 407.911 and 407.913, RSMo 1994, relating to sales commissions, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 684, entitled:

An act to repeal sections 211.073 and 211.181, RSMo Supp. 1997, relating to juveniles, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 473, entitled:

An act to repeal sections 84.480 and 84.510, RSMo 1994, relating to Kansas City police officers, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 525, entitled:

An act to amend chapter 21, RSMo, relating to the general assembly by adding thereto one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 615, entitled:

An act to repeal sections 572.070 and 572.125, RSMo 1994, relating to gambling, and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 589, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to claims against certain licensed professionals.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 619, entitled:

An act to repeal sections 142.009, 142.010, 142.020, 142.025, 142.030, 142.040, 142.050, 142.060, 142.070, 142.080, 142.090, 142.100, 142.110, 142.120, 142.130, 142.140, 142.150, 142.160, 142.165, 142.166, 142.167, 142.170, 142.180, 142.190, 142.200, 142.210, 142.220, 142.230, 142.240, 142.250, 142.260, 142.270, 142.280, 142.290, 142.295, 142.300, 142.330, 142.340, 142.350, 142.362, 142.364, 142.366, 142.372, 142.374, 142.403, 142.404, 142.406, 142.412, 142.422, 142.432, 142.442, 142.452, 142.462, 142.466, 142.472, 142.482, 142.492, 142.511, 142.513, 142.515, 142.517, 142.521, 142.531, 142.541, 142.551, 142.561, 142.563, 142.571, 142.573, 142.575, 142.577. 142.579, 142.583, 142.584, 142.591, 142.611, 142.617, 142.621, 155.080 and 414.102, RSMo 1994, and section 319.132, RSMo Supp. 1997, relating to motor fuel, and to enact in lieu thereof fifty-nine new sections relating to the same subject, with penalty provisions and an effective date.

In which the concurrence of the House is respectfully requested.

COMMITTEE REPORTS

Committee on Banks and Financial Institutions, Chairman Copeland reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred HB 1189, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred HB 1148, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred HB 1412, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred HB 1363 and HB 906, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Elections, Chairman Days reporting:

Mr. Speaker: Your Committee on Elections, to which was referred HB 1273, HB 943 and HB 1217, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred HB 1104, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred HB 1160, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred HB 957 and HB 1063, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Motor Vehicle and Traffic Regulations, Chairman Thomason (163) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred HB 1434, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Municipal Corporations, Chairman Shelton (57) reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred HB 1609, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred HB 1094, HB 1213, HB 1311 and HB 1428, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred HB 1315, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HCS HB 1014, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on State Parks, Natural Resources and Mining, Chairman McBride reporting:

Mr. Speaker: Your Committee on State Parks, Natural Resources and Mining, to which was referred HB 1525, HB 1430 and HB 1269, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred HB 995, begs leave to report it has examined the same and recommends that it Do Pass.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 50, introduced by Representative Bray, relating to highways and transportation.

HJR 51, introduced by Representative Lakin, relating to the approval of tax rates for school districts.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1758, introduced by Representative Shields, et al, relating to the urban education renewal act.

HB 1759, introduced by Representatives Wiggins and Leake, et al, relating to solid waste management.

HB 1760, introduced by Representatives Van Zandt and Bray, et al, relating to sexual misconduct.

HB 1761, introduced by Representative Cooper, relating to the collateral consequences of conviction.

HB 1762, introduced by Representatives Stoll and Relford, relating to embalmers and funeral directors.

HB 1763, introduced by Representative Stoll, relating to teacher retirement.

HB 1764, introduced by Representatives Bray and Liese, et al, relating to the department of transportation.

HB 1765, introduced by Representative Shields, et al, relating to regional private health insurance purchasing cooperatives.

HB 1766, introduced by Representative Relford, relating to property tax assessments.

HB 1767, introduced by Representative Berkstresser, et al, relating to petition audits.

HB 1768, introduced by Representative Franklin, relating to the compensation of certain state officers.

HB 1769, introduced by Representative Rizzo, relating to boxing and wrestling.

HB 1770, introduced by Representative Lawson, relating to telecommunication for hearing or speech impaired individuals.

HB 1771, introduced by Representatives Stoll and Liese, et al, relating to charter schools.

HB 1772, introduced by Representative Bray, relating to transportation.

HB 1773, introduced by Representatives May (108) and Ridgeway, relating to immunity from liability for persons reporting child abuse or neglect.

HB 1774, introduced by Representatives Lakin, Dougherty and Barry, et al, relating to the provision of health care for certain uninsured children.

HB 1775, introduced by Representatives Lakin, Skaggs and Fitzwater, relating to banning partial birth abortions.

HB 1776, introduced by Representatives Kennedy and Davis (63), relating to state retirement systems.

HB 1777, introduced by Representative Foley, relating to the regulation and licensing of professional addictions counselors.

HB 1778, introduced by Representative Hohulin, relating to motor vehicles.

HB 1779, introduced by Representatives Riback Wilson and Clayton, relating to forcible rape.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, February 16, 1998.

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Monday, February 16, 1998, 1:30 pm. Hearing Room 1 and 2.

Mark up Dept. of Social Services, Dept. of Corrections.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 17, 1998. Hearing Room 1 and 2 upon adjournment.

Mark up Dept. of Social Services, Dept. of Corrections.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 18, 1998, 3:00 pm. Hearing Room 6. Executive session.

To be considered - HB 1675, HB 1707

CONSUMER PROTECTION

Tuesday, February 17, 1998, 8:00 pm. Hearing Room 7.

To be considered - HB 1169, HB 1259, HB 1132, HB 1590

CRIMINAL LAW

Wednesday, February 18, 1998, 8:00 pm. Hearing Room 9. Executive session to follow.

To be considered - HB 1277, HB 1508, HB 1359, HB 1358, HB 1445, HB 1443,

HB 1575, HB 1370, HB 1403, HB 1239

CRITICAL ISSUES

Monday, February 16, 1998, 8:00 pm. Hearing Room 6.

Executive session may follow on HB 1322.

To be considered - HB 1389, HB 1393, HB 1212, HB 1030

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 17, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1521, HB 1683, HB 976, HB 1204

ELECTIONS

Tuesday, February 17, 1998, 7:30 pm. Hearing Room 8. Executive session may follow.

To be considered - HB 1628, HB 1499, HB 1483

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, February 16, 1998, 8:00 pm. Hearing Room 7.

To be considered - HB 1718, Executive Session - HB 1260, Executive Session - HB 1046

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 18, 1998, 8:30 am. Hearing Room 8. Possible executive session.

To be considered - HB 1539, HB 1562, HB 1689

INSURANCE

Tuesday, February 17, 1998, 8:30 am. Hearing Room 8. Executive session may follow.

To be considered - HB 1565, HB 1504, HB 1175

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 18, 1998, 8:30 am. Hearing Room 9. Contested fiscal notes.

To be considered - SB 617, HB 922

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 18, 1998, 9:00 am. Hearing Room 9.

Presentation of Oversight reports and other business.

JUDICIARY

Tuesday, February 17, 1998, 3:00 pm. Hearing Room 5.

To be considered - HB 1081, HB 1399, HB 1526, HB 1569, HB 1660

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 17, 1998, 3:00 pm. Hearing Room 7.

To be considered - HB 1626, HB 919, HB 1000, HB 1031, HB 1589, HB 1518,

HB 1317, HB 953, HB 1618, HB 1253

MUNICIPAL CORPORATIONS

Wednesday, February 18, 1998, 3:00 pm. Hearing Room 7. Executive session.

To be considered - HB 1578

PUBLIC HEALTH AND SAFETY

Tuesday, February 17, 1998, 7:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - HB 1257, HB 1397

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, February 16, 1998, 8:00 pm. Hearing Room 9. Executive session may follow.

To be considered - HB 1587, HB 1641

WAYS AND MEANS

Tuesday, February 17, 1998, 3:00 pm. Hearing Room 6. Executive session may follow.

To be considered - HB 1656, HB 1640, HB 1201, HB 1123, HB 1488, HB 1301,

HB 1568, HB 1078, HB 1155, HB 1202

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, February 16, 1998, 8:00 pm. Hearing Room 5. Executive session to follow.

To be considered - HB 1237

HOUSE CALENDAR

Twenty-third Day, Monday, February 16, 1998

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 50 and HJR 51

HOUSE BILLS FOR SECOND READING

HB 1758 through HB 1779

HOUSE BILLS FOR PERFECTION

HCS HB 1167 - Relford

HCS HB 1620 - Overschmidt

HCS HB 1519 & 1165 - Boucher

HCS HB 922 - Gratz

HB 1473 - Hoppe

HCS HB 1094, 1213, 1311 & 1428 - Treadway

HB 1148 - Rizzo

HCS HB 1147, 1435, 1050, 1186 & 1108 - Hosmer

HB 995 - Bray

HCS HB 1197 - Gunn

HB 1144 - Mays (50)

HCS HB 957 & 1063 -

HCS HB 1412 - Harlan

HB 1160 - Auer

HB 1609 - Shelton (57)

HB 927 - Hosmer

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 1014 - Franklin

SENATE BILLS FOR SECOND READING

SB 473

SCS SB 496

SB 525

SB 537

SB 555

SB 589

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House Journal

Second Regular Session, 89th General Assembly

TWENTY-THIRD DAY, Monday, February 16, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"Take thought for what is noble in the sight of all." (Rom. 12;17).

It is President's day. The rain this morning put me in philosophic mood about the role of the presidency in the Republic. The office has ancient roots, the leader from our ancient memory is both God and king, priest and ruler, or represents the divine in the exercise of his office. In our culture, we speak of holding elected leaders to higher standards. What standards? What is higher? If we are all equal under the law, what is meant by higher standards? What is morality, what topics are included, which are more important? Can we separate private and public conduct? We realize that the answers to these questions are as diverse as the people who ask and answer them. It has become fashionable to trot out all the faults and weaknesses and moral failures and to air the gossip where there were no facts proven of every president since George Washington.

This afternoon, O God, we acknowledge that each of us falls far short of the glory that could be ours and we are all in a process. We honor and re-affirm our reverence for our system of government, we pray for our President and all of our leaders in government, including each of us in our own public and private exercise of the service to which we are committed and the promises we have made as civil servants and citizens. May we always strive for the best even when we know that our best is never going to be flawless. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jeff Wilson, Philip Thompson, Melody Hohensee and Rob Hohensee.

The Journal of the twenty-second day was approved as corrected.

RESOLUTIONS

Representative Backer offered House Resolution No. 236 and House Resolution No. 237, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 238 and House Resolution No. 239, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 240, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 241, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Secrest offered House Resolution No. 242 through House Resolution No. 244, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelley (47) offered House Resolution No. 245 through House Resolution No. 247, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 248, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Green offered House Resolution No. 249, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Leake offered House Resolution No. 250, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Shields offered House Concurrent Resolution No. 16.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 50 and **HJR 51** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1758 through **HB 1779** were read the second time.

SECOND READING OF SENATE BILLS

SB 473, SCS SB 496, SB 525, SB 537, SB 555, SB 589, SB 615, SB 619, SB 626, and **SCS SB 684** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1469**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1469 - Budget (Fiscal Note)

PERFECTION OF HOUSE BILLS

HCS HB 1167, relating to assault on corrections officers, was taken up by Representative Relford.

Representative Parker offered House Amendment No 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1167, Line 4, by inserting after the word "year" the following:

"or until otherwise lawfully discharged, whichever is earlier"; and

further amend said bill, Line 7, by inserting after the word "years" the following:

"or until otherwise lawfully discharged, whichever is earlier".

On motion of Representative Parker, House Amendment No. 1 was adopted.

On motion of Representative Relford, **HCS HB 1167, as amended,** was adopted.

On motion of Representative Relford, **HCS HB 1167, as amended,** was ordered perfected and printed.

HCS HB 1620, relating to funding of the Division of Tourism, was taken up by Representative Overschmidt.

On motion of Representative Overschmidt, **HCS HB 1620** was adopted.

On motion of Representative Overschmidt, **HCS HB 1620** was ordered perfected and printed.

HCS HB 1519 & 1165, relating to the national guard, veterans, and gaming commission, was placed on the Informal Calendar.

Speaker Gaw assumed the Chair.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Hagan-Harrell Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Boucher Cooper Gunn Hall Harlan

Hoppe Leake Shear

VACANCY: 001

PERFECTION OF HOUSE BILL

HCS HB 922, relating to Missouri fence law, was taken up by Representative Gratz.

Representative Gratz offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 922, Page 2, Section 272.455, Line 20, by inserting immediately after the word "**section**" the following: "**or a manufactured fence pursuant to subsection 6 of this**

section"; and

Further amend said bill, Page 2, Section 272.455, Lines 21 to 23, by deleting all of said lines and inserting in lieu thereof the following: "**However, the adjoining landowner shall be responsible for the lesser of one-half the cost of a lawful fence pursuant to the provisions of subsection 1 of this section or the cost of the manufactured fence installed.**"; and

Further amend said bill, Page 3, Section 272.455, Lines 24 and 25, by deleting all of said lines and inserting in lieu thereof the following: "**6. A manufactured fence, if it is in excess of the requirements of subsection 1 of this section and installed in accordance with the manufacturer's specifications, or a two-strand electrified fence may be installed in lieu of a lawful fence.**

7. In the event that adjoining landowners cannot agree between a manufactured fence or two-strand electrified fence pursuant to subsection 6 of this section and a lawful fence pursuant to subsection 1 of this section, a lawful fence pursuant to subsection 1 of this section shall be built.".

On motion of Representative Gratz, House Amendment No. 1 was adopted.

On motion of Representative Gratz, **HCS HB 922, as amended,** was adopted.

On motion of Representative Gratz, **HCS HB 922, as amended,** was ordered perfected and printed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 479**, entitled:

An act to repeal section 247.040, RSMo Supp. 1997, relating to public water supply districts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 535**, entitled:

An act to repeal section 163.011, RSMo Supp. 1997, relating to determining equivalent sales ratios used in equalizing assessed valuations, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 673**, entitled:

An act to amend chapter 455, RSMo, by adding thereto four new sections relating to domestic violence.

In which the concurrence of the House is respectfully requested.

COMMITTEE REPORT

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 1314**, begs leave to report it has examined the same and recommends that it **Do Pass.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1780, introduced by Representative Treadway, relating to the licensure and regulations of speech-language pathologists and audiologists.

HB 1781, introduced by Representative Treadway, relating to income taxation.

HB 1782, introduced by Representatives Kennedy and Seigfreid, et al, relating to foodborne disease in retail food establishments.

HB 1783, introduced by Representative Lakin, et al, relating to historical and public interest signs along the highways.

HB 1784, introduced by Representative Lakin, relating to certified capital companies.

The following member's presence was noted: Hoppe.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, February 17, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Nineteenth Day, Monday, February 9, 1998, Page 210, Line 32, by deleting after the word "Speaker" the following: "to the end that the same may become law".

Correct House Journal, Twenty-Second Day, Thursday, February 12, 1998, Page 247, Line 13, by deleting the number "168.091" and inserting in lieu thereof the number "168.071".

Page 245, after Line 39, by inserting the following:

"Section A. Section 168.021, RSMo 1994, are repealed and one new section enacted in lieu thereof, to be known as section 168.021, to read as follows:".

Page 245, Line 40, by deleting "Section A.".

Page 246, Line 4, after the word "section" by deleting "**or;**" and inserting in lieu thereof "**; or**".

Pages 244 and 245, roll call, by showing Representative Smith voting "aye" rather than "no".

Pages 244 and 245, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Page 253, by inserting after line 10, the following: "the following member's presence was noted: Wannenmacher".

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 17, 1998. Hearing Room 1 and 2 upon adjournment.

Mark up Dept. of Social Services, Dept. of Corrections.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 18, 1998, 3:00 pm. Hearing Room 6. Executive session.

To be considered - HB 1675, HB 1707

CONSUMER PROTECTION

Tuesday, February 17, 1998, 8:00 pm. Hearing Room 7. AMENDED

To be considered - HB 1169, HB 1259, HB 1132, HB 1590, HB 1536

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 17, 1998, 8:00 pm. Hearing Room 9. Executive session may follow.

To be considered - HB 1538, HB 1433, HB 1648, HB 1708, HB 1709

CRIMINAL LAW

Wednesday, February 18, 1998, 8:00 pm. Hearing Room 9. Executive session to follow.

To be considered - HB 1277, HB 1508, HB 1359, HB 1358, HB 1445, HB 1443, HB 1575, HB 1370, HB 1403, HB 1239

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 17, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1521, HB 1683, HB 976, HB 1204

ELECTIONS

Tuesday, February 17, 1998, 7:30 pm. Hearing Room 8. Executive session may follow.

To be considered - HB 1628, HB 1499, HB 1483

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 18, 1998, 8:30 am. Hearing Room 8. Possible executive session.

To be considered - HB 1539, HB 1562, HB 1689

INSURANCE

Tuesday, February 17, 1998, 8:30 am. Hearing Room 8. Executive session may follow.

To be considered - HB 1565, HB 1504, HB 1175

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 18, 1998, 8:30 am. Hearing Room 9. Contested fiscal notes.

To be considered - SB 617, HB 922

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 18, 1998, 9:00 am. Hearing Room 9.

Presentation of Oversight reports and other business.

JUDICIARY

Tuesday, February 17, 1998, 3:00 pm. Hearing Room 5.

To be considered - HB 1081, HB 1399, HB 1526, HB 1569, HB 1660

LABOR

Tuesday, February 17, 1998, 8:00 pm. Hearing Room 6.

To be considered - HB 1128, HB 1470, Executive Session - HB 1139

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 17, 1998, 3:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - HB 1576, HB 1480, HB 1352, HB 1468, HB 1149, HB 1218, HB 1438,
HB 1439, HB 1385

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 17, 1998, 3:00 pm. Hearing Room 7.

To be considered - HB 1626, HB 919, HB 1000, HB 1031, HB 1589, HB 1518,
HB 1317, HB 953, HB 1618, HB 1253

MUNICIPAL CORPORATIONS

Wednesday, February 18, 1998, 3:00 pm. Hearing Room 7. Executive session.

To be considered - HB 1578

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 18, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 1328, HB 1601, HB 1514, HB 1582

PUBLIC HEALTH AND SAFETY

Tuesday, February 17, 1998, 7:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - HB 1257, HB 1397

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, February 17, 1998, 8:00 pm. Hearing Room 5. Possible executive session.

To be considered - HB 1534, HB 1684, HB 1467

WAYS AND MEANS

Tuesday, February 17, 1998, 3:00 pm. Hearing Room 6. Executive session may follow.

To be considered - HB 1656, HB 1640, HB 1201, HB 1123, HB 1488, HB 1301,
HB 1568, HB 1078, HB 1155, HB 1202

HOUSE CALENDAR

Twenty-fourth Day, Tuesday, February 17, 1998

HOUSE BILLS FOR SECOND READING

HB 1780 through HB 1784

HOUSE BILLS FOR PERFECTION

HB 1473 - Hoppe

HCS HB 1094, 1213, 1311 & 1428 - Treadway

HB 1148 - Rizzo

HCS HB 1147, 1435, 1050, 1186 & 1108 - Hosmer

HB 995 - Bray

HCS HB 1197 - Gunn

HB 1144 - Mays(50)

HCS HB 957 & 1063 -

HCS HB 1412 - Harlan

HB 1160 - Treadway

HB 1609 - Shelton(57)

HB 927 - Hosmer

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 1519 & 1165 - Boucher

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 1014 - Franklin

HOUSE BILL FOR THIRD READING

HCS HB 1469, (Budget Fiscal 2-16-98) - Relford

SENATE BILLS FOR SECOND READING

SB 479

SB 535

SB 673

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House Journal

Second Regular Session, 89th General Assembly

TWENTY-FOURTH DAY, Tuesday, February 17, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Take thought for what is noble in the sight of all." (Rom. 12:17)

I watched a few minutes of the re-cap of some of the magnificent and some of the spills from the Olympics in the ski jump contests. Once again, I marveled at the beauty of the style, the risk to life and limb of the contestants and their marvelous endurance. They are focused. They have made decisions, they have decided that everything else in their lives is not important in their quest for excellence and the possibility of a medal.

God of patience, I thought of those things which I do well but then I realized that I cut corners on some projects, and I try to do some things without the commitment, without setting aside other less important things. Let me take a moment this morning to face up to one thing in my life which needs work, whether it is care about junk food in my diet or the need to nurture a relationship...Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Austin Dey, Elissa Dey, Laurel Dey, Bobby French, Steve Runnenburger, Garrett Gregory Stokan and Sersergei Voronov.

The Journal of the twenty-third day was approved as printed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 005

Bennett Cooper Leake Nordwald Shear

VACANCY: 001

RESOLUTIONS

Representative McLuckie offered House Resolution No. 251, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 252.

Representative Dougherty offered House Resolution No. 253, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 254, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 255, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Purgason offered House Resolution No. 256 and House Resolution No. 257, which were referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1780 through **HB 1784** were read the second time.

SECOND READING OF SENATE BILLS

SB 479, SB 535, and **SB 673** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1167 - Budget (Fiscal Note)

HCS HB 922 - Budget (Fiscal Note)

PERFECTION OF HOUSE BILL

HB 1473, relating to ambulance services, was taken up by Representative Hoppe.

Representative Smith offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1473, Page 27, Section 190.205, Line 1, by striking the word "Insurance" and inserting in lieu thereof the words "Health insurance"; and

Further amend said bill, Page 27, Section 190.205, Line 3, by striking the word "Insurance" and inserting in lieu thereof the words "Health insurance".

On motion of Representative Smith, House Amendment No. 1 was adopted.

Representative Thomason (163) offered House Amendment No. 2.

House Amendment No. 2 was withdrawn.

Representative Edwards-Pavia offered House Amendment No. 2.

House Amendment No. 2 was withdrawn.

On motion of Representative Hoppe, HB 1473, as amended, was ordered perfected and printed.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HBs 1519 & 1165, relating to national guard, veterans and gaming commission, was taken up by Representative Boucher.

Representative Bland offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bills Nos. 1519 & 1165, Page 7, Section 313.835, Line 31, by inserting immediately after the word "fund" the following: "; and for restoration, renovation and maintenance of the Liberty Memorial and the Liberty Memorial Museum of World War I in Kansas City, Missouri; and one million dollars for other Missouri war memorials in need of restoration, renovation and maintenance. Expenditures for the Liberty Memorial shall include providing a plaque commemorating the veterans of Missouri who were killed in action during World War I by listing their names. Expenditures from the veterans' commission capital improvement trust fund to the city of Kansas City, for the restoration, renovation and maintenance of the Liberty Memorial and the Liberty Memorial Museum of World War I shall not exceed five million dollars in any one fiscal year and not more than seven million dollars in total expenditures from the fund. The city shall provide matching funds and all improvements must be approved by the veterans' commission and the office of administration".

Representative Patek offered House Substitute Amendment No. 1 for House Amendment

No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 1519 & 1165, Page 7, Section 313.835, Line 24, by deleting the words "Capital Improvement" and inserting in lieu thereof the following: "[Capital Improvement]"; and

Further amend said bill, Page 7, Section 313.835, Line 28, by inserting after the word "needs" the following: "or operation"; and

Further amend said bill, Page 7, Section 313.835, Line 38, by inserting after the figure "(3)" the following: "Beginning July 1, 1999, an amount equal to five million dollars of those funds that had previously been paid to the veteran's commission capital improvement trust fund pursuant to subdivision (2) of this section shall be deposited in the "Liberty Memorial Trust Fund" which is hereby created in the state treasury. The fund shall be administered by the veteran's commission and the money in such fund shall be used solely for restoration of the Liberty Memorial located in a city with a population greater than four hundred thousand that is located in more than one county. The money in such fund shall not exceed five million dollars and the fund shall cease to exist July 1, 2001. The money in such fund shall be distributed to a city with a population greater than four hundred thousand that is located in more than one county.

(4)"; and

Further amend said bill, Page 7, Section 313.835, Lines 40 to 41, by deleting all of said lines and inserting in lieu thereof the following:

"(a) Ten million dollars shall be transferred to the veterans' commission trust fund;"; and

Further amend said bill, Page 8, Section 313.835, Lines 45 to 68, by deleting all of said lines and inserting in lieu thereof the following: "in equal amounts to fully fund prorated increases in appropriations for the following programs:

a. The transportation categorical aid provided pursuant to line 11 of subsection 6 of section 163.031, RSMo;

b. The vocational education categorical aid provided pursuant to line 16 of subsection 6 of section 163.031, RSMo;

c. The special education categorical aid provided pursuant to line 12 of subsection 6 of section 163.031, RSMo;

d. The gifted education categorical aid provided pursuant to line 13 of subsection 6 of section 163.031, RSMo.

Notwithstanding the provisions of section 33.080, RSMo, moneys transferred to categoricals pursuant to this section shall not be transferred to the credit of the general revenue fund at the end of any biennium."; and

Further amend said bill, Page 8, Section 313.835, Line 70, by deleting the words "capital improvements".

Representative Lograsso requested a division of the question.

House Substitute Amendment No. 1

for

House Amendment No. 1

PART I

AMEND House Committee Substitute for House Bills Nos. 1519 & 1165, Page 7, Section 313.835, Line 24, by deleting the words "Capital Improvement" and inserting in lieu thereof the following: "[Capital Improvement]"; and

Further amend said bill, Page 7, Section 313.835, Line 28, by inserting after the word "needs" the following: "or operation"; and

Further amend said bill, Page 7, Section 313.835, Line 38, by inserting after the figure "(3)" the following: "Beginning July 1, 1999, an amount equal to five million dollars of those funds that had previously been paid to the veteran's commission capital improvement trust fund pursuant to subdivision (2) of this section shall be deposited in the "Liberty Memorial Trust Fund" which is hereby created in the state treasury. The fund shall be administered by the veteran's commission and the money in such fund shall be used solely for restoration of the Liberty Memorial located in a city with a population greater than four hundred thousand that is located in more than one county. The money in such fund shall not exceed five million dollars and the fund shall cease to exist July 1, 2001. The money in such fund shall be distributed to a city with a population greater than four hundred thousand that is located in more than one county.

(4)"; and

Representative Patek moved that Part I of House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 061

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Burton Champion

Chrismer Cierpiot Crawford Elliott Enz

Evans Froelker Gaskill Gibbons Graham 106

Gross Hall Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Kauffman

Kelley 47 Klindt Legan Levin Linton

Lograsso Long Loudon Marble Miller

Murphy Naeger Nordwald Patek Pouche

Pryor Purgason Reinhart Richardson Ridgeway

Robirds Sallee Scott Secrest Sheldon 104

Shields Steen Summers Surface Townley

Vogel

NOES: 095

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Broach

Campbell Carter Clayton Copeland Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Gaston Graham 24 Gratz

Green Griesheimer Gunn Hagan-Harrell Harlan

Heckemeyer Hickey Hilgemann Hollingsworth Hoppe

Hosmer Johnson Kasten Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Liese Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Merideth Monaco Murray

O'Connor O'Toole Ostmann Parker Ransdall

Relford Reynolds Rizzo Ross Scheve

Schilling Schwab Seigfreid Shelton 57 Skaggs

Smith Stokan Stoll Stroker Thomason 163

Thompson 72 Treadway Troupe Van Zandt Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Cooper Leake Overschmidt Shear Thompson 37

Wannenmacher

VACANCY: 001

House Substitute Amendment No. 1

for

House Amendment No. 1

PART II

AMEND House Committee Substitute for House Bill Nos. 1519 & 1165, Page 7, Section 313.835, Lines 40 to 41, by deleting all of said lines and inserting in lieu thereof the following:

"(a) Ten million dollars shall be transferred to the veterans' commission trust fund;"; and

Representative Patek offered House Amendment No. 1 to Part II of House Substitute Amendment No. 1 for House Amendment No. 1.

House Amendment No. 1

to

Part II

of

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND Part II of House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Bill Nos. 1519 & 1165, Page 2, Line 13, by adding after the word "Fund" the following:

"to be used for the operation, construction and maintenance of veteran's homes and cemeteries in this state."

Representative Monaco raised a point of order that House Amendment No. 1 to Part II of House Substitute Amendment No. 1 for House Amendment No. 1 is in the third degree.

The Chair ruled the point of order not well taken.

Representative Patek moved that House Amendment No. 1 to Part II of House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 071

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Crawford Dolan

Edwards-Pavia Elliott Enz Evans Foster

Froelker Gaskill Gaston Gibbons Graham 106

Griesheimer Gross Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Kasten

Kauffman Kelley 47 Klindt Legan Levin

Linton Lograsso Long Loudon Marble

McClelland Merideth Miller Murphy Naeger

Nordwald Patek Pouche Pryor Purgason

Reinhart Richardson Ridgeway Robirds Ross

Sallee Schwab Scott Secrest Sheldon 104

Shields Steen Summers Surface Townley

Vogel

NOES: 080

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Donovan Dougherty Farnen

Fitzwater Foley Ford Franklin Fritts

Graham 24 Gratz Green Gunn Hagan-Harrell

Harlan Heckemeyer Hickey Hilgemann Hollingsworth

Hoppe Hosmer Johnson Kelly 27 Kennedy

Kissell Kreider Lakin Lawson Liese

Luetkenhaus May 108 Mays 50 McBride McLuckie

Monaco Murray O'Connor O'Toole Ostmann

Overschmidt Parker Ransdall Relford Reynolds

Rizzo Scheve Schilling Shelton 57 Skaggs

Smith Stokan Stoll Stroker Thomason 163

Thompson 72 Treadway Troupe Van Zandt Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 011

Bonner Clayton Cooper Copeland Hall

Koller Leake Seigfreid Shear Thompson 37

Wannenmacher

VACANCY: 001

Representative Patek moved that Part II of House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 061

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Burton Champion
Chrismer Cierpiot Crawford Elliott Enz
Evans Foster Froelker Gaskill Gibbons
Graham 106 Hall Hartzler 124 Hegeman Hendrickson
Hohulin Holand Howerton Kasten Kelley 47
Klindt Legan Levin Linton Lograsso
Long Loudon Marble Miller Murphy
Naeger Nordwald Patek Pouche Pryor
Purgason Reinhart Richardson Ridgeway Robirds
Sallee Schwab Scott Secrest Sheldon 104
Shields Steen Summers Surface Townley
Vogel

NOES: 092

Auer Backer Barry 100 Bartlett Bauer
Bland Boucher Bray 84 Broach Campbell
Carter Copeland Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Farnen Fitzwater
Foley Ford Franklin Fritts Gaston
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Heckemeyer
Hickey Hilgemann Hollingsworth Hoppe Hosmer
Johnson Kauffman Kelly 27 Kennedy Kissell
Koller Kreider Lakin Lawson Liese
Luetkenhaus May 108 Mays 50 McBride McClelland
McLuckie Merideth Monaco Murray O'Toole
Ostmann Overschmidt Parker Ransdall Relford
Reynolds Rizzo Ross Scheve Schilling
Shelton 57 Skaggs Smith Stokan Stoll
Stroker Thomason 163 Thompson 72 Treadway Troupe
Van Zandt Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner Clayton Cooper Leake O'Connor

Seigfreid Shear Thompson 37 Wannenmacher

VACANCY: 001

House Substitute Amendment No. 1

for

House Amendment No. 1

PART III

AMEND House Committee Substitute for House Bill Nos. 1519 & 1165, Page 8, Section 313.835, Lines 45 to 68, by deleting all of said lines and inserting in lieu thereof the following: "in equal amounts to fully fund prorated increases in appropriations for the following programs:

a. The transportation categorical aid provided pursuant to line 11 of subsection 6 of section 163.031, RSMo;

b. The vocational education categorical aid provided pursuant to line 16 of subsection 6 of section 163.031, RSMo;

c. The special education categorical aid provided pursuant to line 12 of subsection 6 of section 163.031, RSMo;

d. The gifted education categorical aid provided pursuant to line 13 of subsection 6 of section 163.031, RSMo.

Notwithstanding the provisions of section 33.080, RSMo, moneys transferred to categoricals pursuant to this section shall not be transferred to the credit of the general revenue fund at the end of any biennium."; and

Further amend said bill, Page 8, Section 313.835, Line 70, by deleting the words "capital improvements".

Representative Shields offered House Amendment No. 1 to Part III of House Substitute Amendment No. 1 for House Amendment No. 1.

House Amendment No. 1

to

Part III

of

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND Part III of House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Bill Nos. 1519 & 1165, Page 2, Line 6, by adding at the end of said line the following:

"The monies distributed pursuant to this subparagraph shall be used exclusively for maintenance and repair."

Representative Shields moved that House Amendment No. 1 to Part III of House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated.

Representative Patek moved that Part III of House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 068

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Crawford Dolan

Edwards-Pavia Elliott Enz Evans Ford

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Gross Hall Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Kasten

Kelley 47 Klindt Legan Levin Linton

Lograsso Long Loudon Marble Merideth

Miller Murphy Naeger Nordwald Patek

Pouche Pryor Purgason Reinhart Richardson

Ridgeway Robirds Sallee Schwab Scott

Secrest Sheldon 104 Shields Steen Summers

Surface Townley Vogel

NOES: 083

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Copeland Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Donovan Dougherty

Farnen Fitzwater Foley Franklin Fritts

Graham 24 Gratz Green Griesheimer Gunn

Hagan-Harrell Harlan Hartzler 123 Heckemeyer Hickey

Hilgemann Hollingsworth Hoppe Hosmer Johnson

Kauffman Kelly 27 Kennedy Kissell Koller

Kreider Lakin Liese Luetkenhaus May 108

Mays 50 McBride McClelland McLuckie Monaco

Murray O'Toole Ostmann Parker Ransdall

Relford Reynolds Rizzo Ross Scheve

Schilling Shelton 57 Skaggs Smith Stokan

Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Treadway Van Zandt Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 011

Bonner Clayton Cooper Lawson Leake

O'Connor Overschmidt Seigfreid Shear Troupe

Wannenmacher

VACANCY: 001

Representative Shields offered House Amendment No. 2.

House Amendment No. 2

Amend House Committee Substitute for House Bills Nos. 1519 & 1165, Page 8, Section 173.239, Line 46, by adding after the word "activities" the following:

"which shall include assistance to parents who wish to care for pre-kindergarten children in the home,"

On motion of Representative Shields, House Amendment No. 2 was adopted by the following vote:

AYES: 133

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Boatright Boucher Broach Burton

Campbell Champion Chrismer Cierpiot Crawford

Crump Daniels 41 Davis 122 DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hall

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Legan Levin

Liese Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Townley Treadway Vogel Williams 121

Williams 159 Wooten Mr. Speaker

NOES: 015

Bland Bray 84 Carter Copeland Daniel 42

Davis 63 Days Hagan-Harrell Harlan Hickey

Murphy Schilling Thompson 72 Van Zandt Wilson

PRESENT: 000

ABSENT WITH LEAVE: 014

Bauer Bonner Clayton Cooper Lawson

Leake Linton Shear Shields Thomason 163

Thompson 37 Troupe Wannenmacher Wiggins

VACANCY: 001

Representative Shields offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 1519 & 1165, Page 8, Section 173.239, Line 48, by deleting the word "eighty" in said line and replacing it with the word "fifty".

Representative Shields moved that House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 068

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Burton Champion

Chrismer Cierpiot Crawford Dolan Edwards-Pavia

Elliott Enz Evans Ford Foster

Froelker Gaskill Gaston Gibbons Graham 106

Griesheimer Gross Hall Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Kasten

Kelley 47 Klindt Legan Levin Linton

Lograsso Long Loudon Marble Merideth

Miller Murphy Naeger Nordwald Patek

Pouche Pryor Purgason Reinhart Richardson

Ridgeway Robirds Sallee Schwab Scott

Secrest Sheldon 104 Shields Steen Summers

Surface Townley Vogel

NOES: 081

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Copeland Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Donovan Dougherty

Farnen Fitzwater Foley Franklin Fritts

Graham 24 Gratz Green Hagan-Harrell Harlan

Hartzler 123 Heckemeyer Hickey Hilgemann Hollingsworth

Hoppe Hosmer Johnson Kauffman Kelly 27

Kennedy Kissell Koller Lakin Lawson

Liese Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Monaco Murray O'Connor

O'Toole Ostmann Overschmidt Parker Ransdall

Relford Reynolds Rizzo Ross Scheve

Schilling Seigfreid Shelton 57 Skaggs Smith

Stokan Stoll Stroker Thomason 163 Thompson 72

Treadway Van Zandt Williams 121 Williams 159 Wilson

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 013

Bonner Broach Clayton Cooper Gunn

Kreider Leake Shear Thompson 37 Troupe

Wannenmacher Wiggins Wooten

VACANCY: 001

Representative Howerton offered House Amendment No. 4.

Representative Scheve raised a point of order that House Amendment No. 4 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Kelley (47) offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 1519 & 1165, Page 8, Section 313.835, Line 50, by deleting the words "school district-linked,"; and

on lines 52 & 53 by deleting the words "to school districts"; and

on line 56 by deleting the words "school districts"; and

on line 58 by deleting the words "commit to state licensure within one year of the initial grant".

On motion of Representative Kelley (47), House Amendment No. 4 was adopted by the following vote:

AYES: 088

Akin Alter Auer Ballard Barnett

Bartelsmeyer Bauer Bennett Berkstresser Boatright

Broach Burton Champion Chrismer Cierpiot

Crawford Davis 63 Dolan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Foley

Ford Foster Froelker Gaskill Gaston

Gibbons Graham 106 Gratz Green Griesheimer

Gross Hall Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hohulin Holand Hoppe

Howerton Kasten Kelley 47 Kissell Klindt

Lawson Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

Merideth Miller Murphy Murray Naeger

O'Connor O'Toole Overschmidt Patek Pouche

Pryor Purgason Reinhart Reynolds Richardson

Ridgeway Robirds Sallee Schwab Scott

Secrest Sheldon 104 Shields Steen Summers

Surface Townley Vogel

NOES: 062

Backer Barry 100 Bartlett Boucher Bray 84

Campbell Carter Copeland Crump Daniel 42

Daniels 41 Davis 122 Days DeMarce Donovan

Fitzwater Franklin Fritts Graham 24 Hagan-Harrell

Hickey Hilgemann Hollingsworth Hosmer Johnson

Kauffman Kelly 27 Kennedy Koller Kreider

Lakin May 108 Mays 50 McBride McClelland

McLuckie Monaco Nordwald Ostmann Parker

Ransdall Relford Rizzo Ross Scheve

Schilling Seigfreid Shelton 57 Skaggs Smith

Stokan Stoll Stroker Thomason 163 Thompson 72

Treadway Van Zandt Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland Bonner Clayton Cooper Gunn

Harlan Leake Shear Thompson 37 Troupe

Wannenmacher Wiggins

VACANCY: 001

On motion of Representative Boucher, HCS HBs 1519 & 1165, as amended, was adopted.

On motion of Representative Boucher, HCS HBs 1519 & 1165, as amended, was ordered perfected and printed by the following vote:

AYES: 112

Auer Backer Barnett Barry 100 Bartelsmeyer

Bartlett Bauer Bennett Berkstresser Boucher

Bray 84 Broach Campbell Carter Cierpiot

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Edwards-Pavia Enz Evans Farnen

Fitzwater Foley Franklin Fritts Gaskill

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Hagan-Harrell Hartzler 123 Hartzler 124

Heckemeyer Hendrickson Hickey Hilgemann Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Levin

Liese Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Pryor Ransdall

Reinhart Relford Reynolds Ridgeway Rizzo

Robirds Ross Scheve Schilling Schwab

Secrest Seigfreid Shelton 57 Smith Stoll

Stroker Summers Thomason 163 Thompson 37 Thompson 72

Treadway Van Zandt Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 036

Akin Alter Ballard Boatright Burton

Champion Chrismer Elliott Ford Foster

Froelker Gaston Hall Hegeman Hohulin

Holand Klindt Legan Linton Lograsso

Long Loudon Marble Murphy Patek

Pouche Purgason Richardson Sallee Scott

Sheldon 104 Shields Steen Surface Townley

Vogel

PRESENT: 000

ABSENT WITH LEAVE: 014

Bland Bonner Clayton Cooper Dougherty

Gunn Harlan Leake Shear Skaggs

Stokan Troupe Wannenmacher Wiggins

VACANCY: 001

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 550, entitled:

An act to repeal section 233.187, RSMo Supp. 1997, relating to the appointment of a treasurer of road districts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 580, entitled:

An act to repeal section 79.050, RSMo 1994, relating to municipal elections in fourth class cities, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

and passed SB 597, entitled:

An act to repeal section 52.275, RSMo 1994, relating to drainage districts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 653, entitled:

An act to repeal section 70.210, RSMo 1994, relating to political subdivisions, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 676, entitled:

An act to amend chapter 67, RSMo, by adding thereto one new section relating to local government.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 720, entitled:

An act to amend chapter 210, RSMo, by adding thereto three new sections relating to the children's services commission's study on children of incarcerated parents.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 734, entitled:

An act to repeal sections 360.020, 360.040, 360.045, 360.055, 360.075, 360.080, 360.095, 360.100, 360.105, 360.107 and 360.108, RSMo 1994, and section 360.015, RSMo Supp. 1997, and to enact in lieu thereof thirteen new sections relating to the financing of certain health, education and cultural facilities, with an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 739, entitled:

An act to repeal section 64.241, RSMo 1994, relating to regulation of subdivisions, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

COMMITTEE REPORT

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred HB 1038, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

COMMITTEE CHANGES

The Speaker submitted the following Committee Changes:

Rep. O'Connor is no longer a member of the Workers Compensation and Employment Security Committee.

Rep. Scheve is no longer a member of the Elections Committee.

Rep. Auer is no longer a member of the Labor Committee.

Rep. Bartlett has been appointed a member of the Elections, Labor, and Workers Compensation and Employment Security Committees.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1785, introduced by Representatives DeMarce and Farnen, et al, relating to provision of expanded basic local telecommunications service and continuation of interexchange telecommunications service.

HB 1786, introduced by Representatives Thompson (72), Harlan and Bland, et al, relating to traffic offenses.

HB 1787, introduced by Representative Loudon, relating to ticket scalping.

HB 1788, introduced by Representative Patek, relating to the operation of motor vehicles.

HB 1789, introduced by Representatives Lakin and Ladd Stokan, et al, relating to the joint committee on health care policy and planning.

HB 1790, introduced by Representative Bartelsmeyer, relating to landowner's liability.

HB 1791, introduced by Representatives Clayton, DeMarce, Smith and Leake, relating to the creation of the mid-America port authority.

HB 1792, introduced by Representative Crump, relating to sales tax exemptions.

HB 1793, introduced by Representative Loudon, et al, relating to identity theft.

HB 1794, introduced by Representative Monaco, relating to mortgage insurance.

HB 1795, introduced by Representatives Barry and Ridgeway, et al, relating to banning partial birth abortions.

HB 1796, introduced by Representative Harlan, et al, relating to higher education savings programs.

HB 1797, introduced by Representatives Lakin, Williams (121) Skaggs and Fitzwater, relating to liquor.

HB 1798, introduced by Representative Bray, relating to referrals by Medicaid providers.

HB 1799, introduced by Representatives Stroker, Gaw, Kreider, Auer, Barry and Reynolds, et al, relating to assault.

WITHDRAWAL OF HOUSE BILL

February 16, 1998

The Honorable Steve Gaw

Speaker

Missouri House Of Representatives

Capitol Building, Room 308

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully withdraw House Bill 1364.

Respectfully submitted,

/s/ Linda Bartelsmeyer

District 132

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, February 18, 1998.

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 18, 1998, 3:00 pm. Hearing Room 6. Executive session.

To be considered - HB 1675, HB 1707

BUDGET

Wednesday, February 18, 1998, 8:30 am. Hearing Room 6. Executive session.

To be considered - HB 1469, HB 1564, HB 1678, HB 1603

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 18, 1998, 7:30 pm. Hearing Room 8. Possible executive session.

To be considered - HB 1418, HB 1556, HB 1296, HB 1711, HB 1637

COMMERCE

Wednesday, February 18, 1998, 1:00 pm. Hearing Room 6. Executive session may follow.

To be considered - HB 1674

CRIMINAL LAW

Wednesday, February 18, 1998, 8:00 pm. Hearing Room 9.

Executive session to follow. AMENDED

To be considered - HB 1277, HB 1508, HB 1359, HB 1358, HB 1445, HB 1443,

HB 1575, HB 1370, HB 1403, HB 1239, HB 1067

EDUCATION - HIGHER

Wednesday, February 18, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1588, Executive Session - HB 1694

ENVIRONMENT AND ENERGY

Thursday, February 19, 1998, 9:00 am. Hearing Room 6.

To be considered - HB 1512, Executive Session - HB 1394

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Wednesday, February 18, 1998. Side gallery upon adjournment.

To be considered - Executive Session - HB 1260, HB 1046, HB 1718

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 18, 1998, 8:30 am. Hearing Room 8. Possible executive session.

To be considered - HB 1539, HB 1562, HB 1689

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Wednesday, February 18, 1998, 8:30 am. Hearing Room 5.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 18, 1998, 8:30 am. Hearing Room 9. Contested fiscal notes. CANCELLED

To be considered - SB 617, HB 922

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 18, 1998, 9:00 am. Hearing Room 9.

Presentation of Oversight reports and other business. CANCELLED

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 19, 1998, 8:30 am. Hearing Room 7. Contested fiscal notes.

To be considered - HB 922

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 19, 1998, 8:45 am. Hearing Room 7.

Presentation of Oversight Reports and other business.

MUNICIPAL CORPORATIONS

Wednesday, February 18, 1998, 3:00 pm. Hearing Room 7. Executive session.

To be considered - HB 1578

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 18, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 1328, HB 1601, HB 1514, HB 1582

PROFESSIONAL REGISTRATION & LICENSING

Thursday, February 19, 1998, 9:30 am. Room 401.

To be considered - Executive Session - HB 1361, Executive Session - HB 1591

RETIREMENT

Wednesday, February 18, 1998, 12:30 pm. Hearing Room 7. Executive session only.

To be considered - HB 1463, HB 1599, HB 1607, HB 1299, HB 1454, HB 1384

TRANSPORTATION

Wednesday, February 18, 1998, 3:00 pm. Hearing Room 5. Executive session may follow.

To be considered - HB 1460, HB 1342, HB 1679, HB 1681, HJR 34

UTILITIES REGULATION

Thursday, February 19, 1998, 8:30 am. Hearing Room 8. Executive session may or may not follow.

To be considered - HB 1677, HB 1697

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Thursday, February 19, 1998, 9:30 am. Side gallery. Executive session to follow.

To be considered - HB 1237

HOUSE CALENDAR

Twenty-fifth Day, Wednesday, February 18, 1998

HOUSE BILLS FOR SECOND READING

HB 1785 through HB 1799

HOUSE BILLS FOR PERFECTION

HCS HB 1094, 1213, 1311 & 1428 - Treadway

HB 1148 - Rizzo

HCS HB 1147, 1435, 1050, 1186 & 1108 - Hosmer

HB 995 - Bray

HCS HB 1197 - Gunn

HB 1144 - Mays (50)

HCS HB 957 & 1063 - Hoppe

HCS HB 1412 - Harlan

HB 1160 - Treadway

HB 1609 - Shelton (57)

HB 927 - Hosmer

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 1014 - Franklin

HOUSE BILLS FOR THIRD READING

HCS HB 1469, (Budget Fiscal 2-16-98) - Relford

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 1620 - Overschmidt

HCS HB 922 - Gratz

SENATE BILLS FOR SECOND READING

SB 550

SB 580

SB 597

SB 653

SB 676

SB 720

SB 734

SB 739


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House Journal

Second Regular Session, 89th General Assembly

TWENTY-SIXTH DAY, Thursday, February 19, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

"Integrity without knowledge is weak and useless, and knowledge without integrity is dangerous and dreadful." Samuel Johnson, Rassela (1759)

O God, Source of all knowing, help us to be seekers of knowledge and guide us to use that knowledge with integrity. So often we speak of things which we do not know, and know things of which we should not speak! Give us wisdom to be discerning in all that we do and say.

As we gather here today, may we be reminded of the examples of the great leaders of history...both in their failings and in their successes. Throughout history those who lead have often been from the racks of the common folk - those who saw a need and looked for a way to meet it; those who saw an injustice and looked for a way to right it. Inspire the representatives of this House to see with a new vision and to be open to new ideas so that they too will achieve the betterment of life for the citizens they serve.

Blessed are You, Adonai Our God, Sovereign of the Universe, who has given us life, sustained us, and helped us to reach this day. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dustin Denny and Charity Denny.

The Journal of the twenty-fifth day was approved as printed.

RESOLUTIONS

Representative Skaggs offered House Resolution No. 269, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gross offered House Resolution No. 270 and House Resolution No. 271, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 272, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 273, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative May (108) offered House Resolution No. 274, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 275, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 276, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boatright offered House Resolution No. 277, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Surface offered House Resolution No. 278, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 279, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Monaco offered House Resolution No. 280, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution No. 219 through House Resolution No. 251 and House Resolution No. 253 through House Resolution No. 257 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution No. 219 through House Resolution No. 251 and House Resolution No. 253 through House Resolution No. 257 were adopted.

SECOND READING OF HOUSE BILLS

HB 1800 through **HB 1813** were read the second time.

SECOND READING OF SENATE BILLS

SB 551, SB 579, SB 674 and **SCS SB 732** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HBs 1519 & 1165 - Budget (Fiscal Note)

HCS HBs 1094, 1213, 1311 & 1428 - Budget (Fiscal Note)

HB 1765 - Children, Youth and Families

HB 1774 - Children, Youth and Families

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1473** and **HCS HBs 1519 & 1165**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS

HCS HB 1620, relating to funding the Division of Tourism, was taken up by Representative Overschmidt.

On motion of Representative Overschmidt, **HCS HB 1620** was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Copeland

Crawford Crump Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Elliott Enz Evans Farnen Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 003

Murphy Patek Troupe

PRESENT: 000

ABSENT WITH LEAVE: 006

Bray 84 Cooper Daniel 42 Edwards-Pavia Fitzwater
Leake

VACANCY: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

HB 1473, relating to ambulance services, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HB 1473** was read the third time and passed by the following vote:

AYES: 120

Akin Alter Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bennett Berkstresser
Bland Boatright Bonner Boucher Campbell
Carter Champion Chrismer Cierpiot Clayton
Crawford Crump Daniels 41 Davis 122 Days
DeMarce Dolan Enz Farnen Fitzwater
Foley Ford Franklin Fritts Froelker
Gaskill Gaston Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Hegeman Hickey
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kauffman Kelley 47 Kelly 27 Kissell
Klindt Kreider Lakin Lawson Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McLuckie Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Patek Pouche Pryor Purgason Reinhart

Reynolds Ridgeway Rizzo Robirds Ross

Sallee Schilling Scott Secrest Seigfreid

Shear Sheldon 104 Shields Skaggs Steen

Stokan Stoll Stroker Summers Thompson 37

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Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 038

Auer Bauer Bray 84 Broach Burton

Copeland Davis 63 Donovan Dougherty Elliott

Evans Foster Gibbons Graham 106 Heckemeyer

Hendrickson Hilgemann Hohulin Kasten Kennedy

Koller McBride McClelland Merideth Murphy

Parker Ransdall Relford Richardson Scheve

Schwab Shelton 57 Smith Surface Thomason 163

Townley Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 004

Cooper Daniel 42 Edwards-Pavia Leake

VACANCY: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Harlan, title to the bill was agreed to.

Representative Hosmer moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HBs 1147, 1435, 1050, 1186 & 1108, relating to controlled substances, was taken up by Representative Hosmer.

Representative Hosmer offered **HS HCS HBs 1147, 1435, 1050, 1186 & 1108**.

Representative Dougherty offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1186 and 1108, Page 38, Section 195.222, Line 11 of said page, by inserting immediately after the word "**school**" the following: "**, child care facility licensed pursuant to section 210.211, RSMo,**".

On motion of Representative Dougherty, House Amendment No. 1 was adopted.

Speaker Gaw assumed the Chair.

Representative Smith offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1186 & 1108, Page 21, Section 195.040, Line 6 of said page, by deleting the words "within five years" and inserting in lieu thereof the words "[within five years]"; and

Further amend said bill, Page 50, Section 195.410, Line 9 of said page, by deleting the words "within five years" and inserting in lieu thereof the words "[within five years]".

On motion of Representative Smith, House Amendment No. 2 was adopted.

Representative Hosmer offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1186 & 1108, Page 43, Section 195.223, Line 22 of said page, by inserting immediately after the word "**more,**" the following: "**or if the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests,**".

Representative Ridgeway offered House Amendment No. 1 to House Amendment No. 3.

Representative Smith raised a point of order that House Amendment No. 1 to House Amendment No. 3 is in the third degree.

The Chair ruled the point of order well taken.

On motion of Representative Hosmer, House Amendment No. 3 was adopted.

Representative Clayton offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1147, 1435, 1050, 1186 & 1108, Page

44, Section 195.233, Line 1, by inserting thereafter the following:

195.233. 1. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or an imitation controlled substance in violation of sections 195.005 to 195.425.

2. A person who violates this section is guilty of a class A misdemeanor**, unless the person uses, or possesses with intent to use, the paraphernalia in combination with each other to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues in which case the violation of this section is a class D felony.**

On motion of Representative Clayton, House Amendment No. 4 was adopted.

Representative Hosmer offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1186 & 1108, Page 76, Section 568.045, Line 12 of said page, by deleting the word "**or**"; and

Further amend said bill, Page 57, Section 568.045, Line 15 of said page, by inserting immediately after the word "**RSMo**" the following:

"**:**

(4) Such person enlists the aid, either through payment or coercion, of a person less than seventeen years of age to manufacture, compound, produce, prepare, sell, transport, test or analyze amphetamine or methamphetamine or any of their analogues, or to obtain any material used to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues; or

(5) Such person, in the presence of a person less than seventeen years of age, manufactures, compounds, produces, prepares, sells, transports, tests or analyzes amphetamine or methamphetamine or any of their analogues".

On motion of Representative Hosmer, House Amendment No. 5 was adopted.

Representative Monaco offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1168 & 1108, Page 1, In the Title, Line 7 of said page, by deleting the word "twenty-five" and inserting in lieu thereof the word "twenty-six"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "five" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by deleting the word "and" and inserting in lieu thereof the following: ", 7 and 8,"; and

Further amend said bill, Page 2, Section A, Line 1 of said page, by deleting the number "7,"; and

Further amend said bill, Page 87, Section 7, Line 8 of said page, by inserting after all of said line the following:

"**Section 8. Disease of the lungs or respiratory tract or disease of the heart or cardiovascular system, including carcinoma, may be recognized as occupational diseases for the purposes of chapter 287, RSMo, and are defined to be disability due to exposure to smoke, gases, or inadequate oxygen, for peace officers certified**

pursuant to chapter 590, RSMo, if a direct causal relationship is established to exposure to an illegal controlled substance manufacturing laboratory.".

On motion of Representative Monaco, House Amendment No. 6 was adopted.

Representative Johnson offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1168 & 1108, Page 1, In the Title, Line 7 of said page, by deleting the word "twenty-five" and inserting in lieu thereof the word "twenty-six"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "five" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by deleting the word "and" and inserting in lieu thereof the following: ", 7 and 8,"; and

Further amend said bill, Page 2, Section A, Line 1 of said page, by deleting the number "7,"; and

Further amend said bill, Page 87, Section 7, Line 8 of said page, by inserting after all of said line the following:

"**Section 8. No court shall grant probation to a defendant after such defendant has been incarcerated pursuant to section 559.115, RSMo, if such defendant is convicted of or pleads guilty to drug trafficking in the first or second degree and the defendant was found to have manufactured or produced thirty grams or more of methamphetamine.**".

On motion of Representative Johnson, House Amendment No. 7 was adopted.

Representative Thomason (163) offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1168 & 1108, Page 1, In the Title, Line 4 of said page, by inserting immediately after the number "195.010," the number "195.017,"; and

Further amend said bill, Page 1, In the Title, Line 7 of said page, by deleting the word "twenty-five" and inserting in lieu thereof the word "twenty-seven"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by inserting immediately after the number "195.010," the number "195.017,"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "five" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 18 of said page, by inserting immediately after the number "195.010," the number "195.017,"; and

Further amend said bill, Page 20, Section 195.010, Line 17 of said page, by inserting after all of said line the following:

"195.017. 1. The department of health shall place a substance in Schedule I if it finds that the substance:

(1) Has high potential for abuse; and

(2) Has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision.

2. Schedule I:

(1) The controlled substances listed in this subsection are included in Schedule I;

(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

(a) Acetyl-alpha-methylfentanyl;

(b) Acetylmethadol;

(c) Allylprodine;

(d) Alphacetylmethadol;

(e) Alphameprodine;

(f) Alphamethadol;

(g) Alpha-methylfentanyl;

(h) Alpha-methylthiofentanyl;

(i) Benzethidine;

(j) Betacetylmethadol;

(k) Beta-hydroxyfentanyl;

(l) Beta-hydroxy-3-methylfentanyl;

(m) Betameprodine;

(n) Betamethadol;

(o) Betaprodine;

(p) Clonitazene;

(q) Dextromoramide;

(r) Diampromide;

(s) Diethylthiambutene;

(t) Difenoxin;

(u) Dimenoxadol;

(v) Dimepheptanol;

(w) Dimethylthiambutene;

(x) Dioxaphetyl butyrate;

(y) Dipipanone;

(z) Ethylmethylthiambutene;

(aa) Etonitazene;

(bb) Etoxeridine;

(cc) Furethidine;

(dd) Hydroxypethidine;

(ee) Ketobemidone;

(ff) Levomoramide;

(gg) Levophenacylmorphan;

(hh) 3-Methylfentanyl;

(ii) 3-Methylthiofentanyl;

(jj) Morpheridine;

(kk) MPPP;

(ll) Noracymethadol;

(mm) Norlevorphanol;

(nn) Normethadone;

(oo) Norpipanone;

(pp) Para-fluorofentanyl;

(qq) PEPAP;

(rr) Phenadoxone;

(ss) Phenampromide;

(tt) Phenomorphan;

(uu) Phenoperidine;

(vv) Piritramide;

(ww) Proheptazine;

(xx) Properidine;

(yy) Propiram;

(zz) Racemoramide;

(aaa) Thiofentanyl;

(bbb) Tilidine;

(ccc) Trimeperidine;

(3) Any of the following opium derivatives, their salts, isomers and salts of isomers unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(a) Acetorphine;

(b) Acetyldihydrocodeine;

(c) Benzylmorphine;

(d) Codeine methylbromide;

(e) Codeine-N-Oxide;

(f) Cyprenorphine;

(g) Desomorphine;

(h) Dihydromorphine;

(i) Drotebanol;

(j) Etorphine; (except Hydrochloride Salt);

(k) Heroin;

(l) Hydromorphinol;

(m) Methyldesorphine;

(n) Methyldihydromorphine;

(o) Morphine methylbromide;

(p) Morphine methylsulfonate;

(q) Morphine-N-Oxide;

(r) Myrophine;

(s) Nicocodeine;

(t) Nicomorphine;

(u) Normorphine;

(v) Pholcodine;

(w) Thebacon;

(4) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(a) 4-bromo-2,5-dimethoxyamphetamine;

(b) 4-bromo-2, 5-dimethoxyphenethylamine;

(c) 2,5-dimethoxyamphetamine;

(d) 2,5-dimethoxy-4-ethylamphetamine;

(e) 4-methoxyamphetamine;

(f) 5-methoxy-3,4-methylenedioxyamphetamine;

(g) 4-methyl-2,5-dimethoxy amphetamine;

(h) 3,4-methylenedioxyamphetamine;

(i) 3,4-methylenedioxymethamphetamine;

(j) 3,4-methylenedioxy-N-ethylamphetamine;

(k) N-hydroxy-3, 4-methylenedioxyamphetamine;

(l) 3,4,5-trimethoxyamphetamine;

(m) Alpha-ethyltryptamine;

(n) Bufotenine;

(o) Diethyltryptamine;

(p) Dimethyltryptamine;

(q) Ibogaine;

(r) Lysergic acid diethylamide;

(s) Marijuana; (Marihuana);

(t) Mescaline;

(u) Parahexyl;

(v) Peyote, to include all parts of the plant presently classified botanically as Lophophora Williamsil Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seed or extracts;

(w) N-ethyl-3-piperidyl benzilate;

(x) N-methyl-3-piperidyl benzilate;

(y) Psilocybin;

(z) Psilocyn;

(aa) Tetrahydrocannabinols;

(bb) Ethylamine analog of phencyclidine;

(cc) Pyrrolidine analog of phencyclidine;

(dd) Thiophene analog of phencyclidine;

(ee) 1-(1-(2-thienyl)cyclohexyl) pyrrolidine;

(5) Any material, compound, mixture or preparation containing any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(a) Mecloqualone;

(b) Methaqualone;

(6) Any material, compound, mixture or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers:

(a) Aminorex;

(b) Cathinone;

(c) Fenethylline;

(d) Methcathinone;

(e) (+)cis-4-methylaminorex ((+)cis-4,5-dihydro- 4-methyl-5-phenyl-2-oxazolamine);

(f) N-ethylamphetamine;

(g) N,N-dimethylamphetamine;

(7) A temporary listing of substances subject to emergency scheduling under federal law shall include any material, compound, mixture or preparation which contains any quantity of the following substances:

(a) N-(1-benzyl-4-piperidyl)-N-phenyl-propanamide (benzylfentanyl), its optical isomers, salts and salts of isomers;

(b) N-(1-(2-thienyl) methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers.

3. The department of health shall place a substance in Schedule II if it finds that:

(1) The substance has high potential for abuse;

(2) The substance has currently accepted medical use in treatment in the United States, or currently accepted medical use with severe restrictions; and

(3) The abuse of the substance may lead to severe psychic or physical dependence.

4. The controlled substances listed in this subsection are included in Schedule II:

(1) Any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(a) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone, and their respective salts but including the following:

a. Raw opium;

b. Opium extracts;

c. Opium fluid;

d. Powdered opium;

e. Granulated opium;

f. Tincture of opium;

g. Codeine;

h. Ethylmorphine;

i. Etorphine hydrochloride;

j. Hydrocodone;

k. Hydromorphone;

l. Metopon;

m. Morphine;

n. Oxycodone;

o. Oxymorphone;

p. Thebaine;

(b) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in this subdivision, but not including the isoquinoline alkaloids of opium;

(c) Opium poppy and poppy straw;

(d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine;

(e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy);

(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation, dextrorphan and levopropoxyphene excepted:

(a) Alfentanil;

(b) Alphaprodine;

(c) Anileridine;

(d) Bezitramide;

(e) Bulk Dextropropoxyphene;

(f) Carfentanil;

(g) Butyl nitrite;

(h) Dihydrocodeine;

(i) Diphenoxylate;

(j) Fentanyl;

(k) Isomethadone;

(l) Levo-alphacetylmethadol;

(m) Levomethorphan;

(n) Levorphanol;

(o) Metazocine;

(p) Methadone;

(q) Meperidine;

(r) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;

(s) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane--carboxylic acid;

(t) Pethidine;

(u) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

(v) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;

(w) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperdine-4-carboxylic acid;

(x) Phenazocine;

(y) Piminodine;

(z) Racemethorphan;

(aa) Racemorphan;

(bb) Sulfentanil;

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;

(b) Methamphetamine, its salts, isomers, and salts of its isomers;

(c) Phenmetrazine and its salts;

(d) Methylphenidate;

(4) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(a) Amobarbital;

(b) Glutethimide;

(c) Pentobarbital;

(d) Phencyclidine;

(e) Secobarbital;

(5) Any material, compound or compound which contains any quantity of the following substances:

(a) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product;

(b) Nabilone;

(6) Any material, compound, mixture, or preparation which contains any quantity of the following substances:

(a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;

(b) Immediate precursors to phencyclidine (PCP):

a. 1-phenylcyclohexylamine;

b. 1-piperidinocyclohexanecarbonitrile (PCC).

5. The department of health shall place a substance in Schedule III if it finds that:

(1) The substance has a potential for abuse less than the substances listed in Schedules I and II;

(2) The substance has currently accepted medical use in treatment in the United States; and

(3) Abuse of the substance may lead to moderate or low physical dependence or high psychological dependence.

6. The controlled substances listed in this subsection are included in Schedule III:

(1) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

(a) Benzphetamine;

(b) Chlorphentermine;

(c) Clortermine;

(d) Phendimetrazine;

(2) Any material, compound, mixture or preparation which contains any quantity or salt of the following substances or salts having a depressant effect on the central nervous system:

(a) Any material, compound, mixture or preparation which contains any quantity or salt of the following substances combined with one or more active medicinal ingredients:

a. Amobarbital;

b. Secobarbital;

c. Pentobarbital;

(b) Any suppository dosage form containing any quantity or salt of the following:

a. Amobarbital;

b. Secobarbital;

c. Pentobarbital;

(c) Any substance which contains any quantity of a derivative of barbituric acid or its salt;

(d) Chlorhexadol;

(e) Lysergic acid;

(f) Lysergic acid amide;

(g) Methyprylon;

(h) Sulfondiethylmethane;

(i) Sulfonethylmethane;

(j) Sulfonmethane;

(k) Tiletamine and zolazepam or any salt thereof;

(3) Nalorphine;

(4) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or their salts:

(a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

(d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;

(e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or more than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;

(f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(g) Not more than five hundred milligrams of opium per one hundred milliliters or per one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;

(h) Not more than fifty milligrams of morphine per one hundred milliliters or per one hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(5) Anabolic steroids. Unless specially excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any quantity of the following substances, including its salts, isomers and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation:

(a) Boldenone;

(b) Chlorotestosterone (4-Chlortestosterone);

(c) Clostebol;

(d) Dehydrochlormethyltestosterone;

(e) Dihydrostestosterone (4-Dihydro-testosterone);

(f) Drostanolone;

(g) Ethylestrenol;

(h) Fluoxymesterone;

(i) Formebulone (Formebolone);

(j) Mesterolone;

(k) Methandienone;

(l) Methandranone;

(m) Methandriol;

(n) Methandrostenolone;

(o) Methenolone;

(p) Methyltestosterone;

(q) Mibolerone;

(r) Nandrolone;

(s) Norethandrolone;

(t) Oxandrolone;

(u) Oxymesterone;

(v) Oxymetholone;

(w) Stanolone;

(x) Stanozolol;

(y) Testolactone;

(z) Testosterone;

(aa) Trenbolone;

(bb) Any salt, ester, or isomer of a drug or substance described or listed in this subdivision, if that salt, ester or isomer promotes muscle growth except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the secretary of health and human services for that administration.

(6) The department of health may except by rule any compound, mixture, or preparation containing any stimulant or depressant substance listed in subdivisions (1) and (2) of this subsection from the application of all or any part of sections 195.010 to 195.320 if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a stimulant or depressant effect on the central nervous system.

7. The department of health shall place a substance in Schedule IV if it finds that:

(1) The substance has a low potential for abuse relative to substances in Schedule III;

(2) The substance has currently accepted medical use in treatment in the United States; and

(3) Abuse of the substance may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III.

8. The controlled substances listed in this subsection are included in Schedule IV:

(1) Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(a) Not more than one milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(b) Dextropropoxyphene (alpha-(+)-4-dimethy-lamino-1, 2-diphenyl-3- methyl-2-propionoxybutane);

(c) Any of the following limited quantities of narcotic drugs or their salts, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

a. Not more than two hundred milligrams of codeine per one hundred milliliters or per one hundred grams;

b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters or per one hundred grams;

c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters or per one hundred grams;

(2) Any material, compound, mixture or preparation containing any quantity of the following substances, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(a) Alprazolam;

(b) Barbital;

(c) Bromazepam;

(d) Camazepam;

(e) Chloral betaine;

(f) Chloral hydrate;

(g) Chlordiazepoxide;

(h) Clobazam;

(i) Clonazepam;

(j) Clorazepate;

(k) Clotiazepam;

(l) Cloxazolam;

(m) Delorazepam;

(n) Diazepam;

(o) Estazolam;

(p) Ethchlorvynol;

(q) Ethinamate;

(r) Ethyl loflazepate;

(s) Fludiazepam;

(t) Flunitrazepam;

(u) Flurazepam;

(v) Halazepam;

(w) Haloxazolam;

(x) Ketazolam;

(y) Loprazolam;

(z) Lorazepam;

(aa) Lormetazepam;

(bb) Mebutamate;

(cc) Medazepam;

(dd) Meprobamate;

(ee) Methohexital;

(ff) Methylphenobarbital;

(gg) Midazolam;

(hh) Nimetazepam;

(ii) Nitrazepam;

(jj) Nordiazepam;

(kk) Oxazepam;

(ll) Oxazolam;

(mm) Paraldehyde;

(nn) Petrichloral;

(oo) Phenobarbital;

(pp) Pinazepam;

(qq) Prazepam;

(rr) Quazepam;

(ss) Temazepam;

(tt) Tetrazepam;

(uu) Triazolam;

(vv) Zolpidem;

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substance including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible: fenfluramine;

(4) Any material, compound, mixture or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers:

(a) Cathine ((+)-norpseudoephedrine);

(b) Diethylpropion;

(c) Fencamfamin;

(d) Fenproporex;

(e) Mazindol;

(f) Mefenorex;

(g) Pemoline, including organometallic complexes and chelates thereof;

(h) Phentermine;

(i) Pipradrol;

(j) SPA ((-)-1-dimethyamino-1,2-diphenylethane);

(5) Any material, compound, mixture or preparation containing any quantity of the following substance, including its salts: pentazocine;

(6) Any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including their salts, isomers and salts of isomers: ephedrine or its salts, optical isomers, or salts of optical isomers [as the only active medicinal ingredient or contains ephedrine or its salts, optical isomers, or salts of optical isomers and therapeutically insignificant

quantities of another active medicinal ingredient] **except as specifically exempted by the department of health by rule**;

(7) The department of health may except by rule any compound, mixture, or preparation containing any depressant substance listed in subdivision (1) of this subsection from the application of all or any part of sections 195.010 to 195.320 if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

9. The department of health shall place a substance in Schedule V if it finds that:

(1) The substance has low potential for abuse relative to the controlled substances listed in Schedule IV;

(2) The substance has currently accepted medical use in treatment in the United States; and

(3) The substance has limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV.

10. The controlled substances listed in this subsection are included in Schedule V:

(1) Any material, compound, mixture or preparation containing any of the following narcotic drug and its salts: buprenorphine;

(2) Any compound, mixture or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(a) Not more than two and five-tenths milligrams of diphenoxylate and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(b) Not more than one hundred milligrams of opium per one hundred milliliters or per one hundred grams;

(c) Not more than five-tenths milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(3) Any material, compound, mixture or preparation which contains any quantity of the following substance having a stimulant effect on the central nervous system including its salts, isomers and salts of isomers: Pyrovalerone.

11. The department of health shall revise and republish the schedules annually."; and

Further amend said bill, Page 51, Section 195.410, Line 11 of said page, by deleting the words "under section" and inserting in lieu thereof the following: "[under section] **pursuant to sections**"; and

Further amend said bill, Page 87, Section 7, Line 8 of said page, by inserting after all of said line the following:

"**Section 8. 1. Any person who sells or distributes any substance with pseudoephedrine or its salts, optical isomers, or salts of optical isomers, as the only active medicinal ingredient or contains such substance with only therapeutically insignificant quantities of another active medicinal ingredient, except as specifically exempted by the department of health by rule, shall only sell such substance in less than twenty-five gram amounts, and shall require the purchaser to show photographic identification and sign the record for such substance. The seller shall keep a record of all such transactions for at least two years including the name of the purchaser, the date, time, amount and substance purchased on a form prescribed by the department of health.**

2. Any person who violates the provisions of subsection 1 of this section is guilty of a class C misdemeanor.".

Representative Thomason (163) moved that House Amendment No. 8 be adopted.

Which motion was defeated.

Representative Johnson offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1168 & 1108,

Page 1, In the Title, Line 7 of said page, by deleting the word "twenty-five" and inserting in lieu thereof the word "twenty-six"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "five" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by deleting the word "and" and inserting in lieu thereof the following: ", 7 and 8,"; and

Further amend said bill, Page 2, Section A, Line 1 of said page, by deleting the number "7,"; and

Further amend said bill, Page 87, Section 7, Line 8 of said page, by inserting after all of said line the following:

"**Section 8. 1. A person has a cause of action for triple actual damages or at least one thousand dollars, court costs and reasonable attorney's fees, if the person proves by a preponderance of the evidence that:**

(1) The person was injured because of the defendant's actions that resulted in the defendant's conviction of any offense pursuant to section 195.211, 195.222, 195.223 or 195.420, RSMo; and

(2) The person was not injured by reason of such person's participation in the same act or transaction that resulted in the defendant's conviction for the offense described in subdivision (1) of this subsection.

2. A person who has a cause of action pursuant to this section may recover the damages allowed from the parent or legal guardian of an unemancipated minor less than eighteen years of age who is liable for the damages and who lives with such parent or legal guardian, if the person proves by clear and convincing evidence that the parent or legal guardian was aware of or recklessly disregarded facts demonstrating that the minor intended to commit the act giving rise to a cause of action pursuant to this section. The parent or legal guardian of the minor is not liable pursuant to this section, if the court finds that the parent or legal guardian made a good faith effort to prevent the minor from engaging in the act giving rise to a cause of action pursuant to this section.

3. A defendant may recover reasonable attorney's fees and court costs upon a finding that there is a complete absence of a justiciable issue of either law or fact raised a complaint pursuant to this section.".

On motion of Representative Johnson, House Amendment No. 9 was adopted.

Representative Naeger offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1186 & 1108, Page 1, In the Title, Line 7 of said page, by deleting the word "twenty-five" and inserting in lieu thereof the word "thirty-one"; and

Further amend said bill, Page 87, Section 7, Line 8 of said page, by inserting after all of said line the following:

"Section B. Six new sections are enacted, to be known as sections 8, 9, 10, 11, 12 and 13, to read as follows:

Section 8. 1. Sections 8 to 13 of this act may be known and cited as the "Missouri Operation: Safe Neighborhoods Program".

2. There is hereby created the "Missouri Operation: Safe Neighborhoods Fund".

Section 9. The highway patrol shall establish and maintain a methamphetamine manufacturer reporting system operating at all times, capable of receiving and maintaining reports. This reporting system shall have the ability to receive information over a single, statewide toll-free hot line number.

Section 10. The highway patrol shall provide a reward of one thousand dollars from the Missouri operation: safe neighborhoods fund to any person who provides information on or before December 31, 2001, that leads to the arrest and finding of guilt of another of trafficking drugs in the first degree for the manufacture or trafficking of methamphetamine.

Section 11. The highway patrol shall post information on the program in every law enforcement agency and probation and parole office in the state.

Section 12. No more than five hundred thousand dollars shall be expended on the program per fiscal year.

Section 13. 1. The highway patrol may adopt such rules as are necessary to carry out the provisions of sections 8 to 13 of this act.

2. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

Section C. The provisions of section B of this act shall expire December 31, 2001.

Section D. Because immediate action is necessary to preserve the safety and welfare of the public, section B of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section B of this act shall be in full force and effect upon its passage and approval.".

Representative Parker offered House Substitute Amendment No. 1 for House Amendment No. 10.

House Substitute Amendment No. 1

for

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1147, 1435, 1050, 1168 & 1108, Page 87, Section 7, Line 8, of said page, by inserting after all of said line the following:

Section 8. 1. A program to be called "Operation Payback" is hereby established within the Department of Public Safety. Subject to appropriation, "Operation Payback," may upon request by a crime tip organization, reimburse such organization up to $250.00 per reward paid by the organization for a drug related crime tip involving the sale or manufacture of methamphetamine that leads to a methamphetamine seizure.

2. A crime tip organization is a community based partnership between the community, law enforcement and the media to work together in the community's fight against crime by encouraging citizens via cash rewards and anonymity to provide law enforcement information leading to the arrest of criminals.

3. The director of the Department of Public Safety may authorize expenditures to reimburse a crime tip organization if such organization satisfies the following requirements:

(1) The organization must demonstrate that it has an active board of directors including at least one representative of the community's municipal or county law enforcement agency;

(2) The organization must be registered with the Department of Public Safety prior to application for funds; and

(3) The organization must provide documentation of payment for a drug related tip involving the sale or manufacture of methamphetamine and proof that the tip lead to a methamphetamine seizure.

4. Under no circumstance may a crime tip organization receive more than $5,000.00 during any fiscal year.

5. The Department of Public Safety shall promulgate such rules and regulations as are necessary for the administration of this section, pursuant to Chapter 536, RSMo, and Section 650.005, RSMo.

On motion of Representative Parker, House Substitute Amendment No. 1 for House Amendment No. 10 was adopted by the following vote:

AYES: 074

Auer Backer Barry 100 Bartlett Bonner
Boucher Bray 84 Campbell Clayton Copeland
Crump Daniels 41 Davis 122 Days DeMarce
Dougherty Farnen Fitzwater Foley Foster
Franklin Fritts Graham 24 Gratz Green
Hagan-Harrell Harlan Hickey Hilgemann Hollingsworth
Hosmer Johnson Kelly 27 Kennedy Kissell
Koller Kreider Lakin Lawson Liese
Luetkenhaus May 108 Mays 50 McBride McLuckie
Monaco Murray O'Connor O'Toole Overschmidt
Parker Patek Ransdall Relford Rizzo
Scheve Schilling Seigfreid Shear Shelton 57
Skaggs Smith Stoll Stroker Thomason 163
Thompson 37 Thompson 72 Treadway Van Zandt Wiggins
Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 067

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Bland Boatright Broach
Champion Chrismer Cierpiot Crawford Davis 63
Dolan Enz Evans Froelker Gaston
Graham 106 Griesheimer Gross Gunn Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hohulin
Holand Howerton Kasten Kauffman Klindt
Legan Linton Lograsso Long Loudon
Marble McClelland Merideth Miller Murphy
Naeger Ostmann Pouche Pryor Purgason
Reinhart Reynolds Richardson Ridgeway Robirds
Ross Sallee Schwab Scott Secrest
Sheldon 104 Shields Steen Stokan Summers
Townley Vogel

PRESENT: 001

Elliott

ABSENT WITH LEAVE: 020

Bauer Burton Carter Cooper Daniel 42
Donovan Edwards-Pavia Ford Gaskill Gibbons

Hall Hoppe Kelley 47 Leake Levin

Nordwald Surface Troupe Wannenmacher Wooten

VACANCY: 001

Representative Williams (121) offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1186 & 1108, Page 1, In the Title, Line 7 of said page, by deleting the word "twenty-five" and inserting in lieu thereof the word "thirty"; and

Further amend said bill, Page 1, Section A, Lines 16 and 17 of said page, by deleting the word "twenty-five" and inserting in lieu thereof the word "thirty"; and

Further amend said bill, Page 1, Section A, Line 18 of said page, by deleting the word "and" and inserting in lieu thereof the following: ", 7, 8, 9, 10, 11 and 12"; and

Further amend said bill, Page 2, Section A, Line 1 of said page, by deleting the number "7,"; and

Further amend said bill, Page 87, Section 7, Line 8 of said page, by inserting after all of said line the following:

"**Section 8. As used in sections 8 to 12 of this act, the following terms mean:**

(1) "Distribute", a conveyance to the public by sale, barter, gift or sample;

(2) "Person", an individual, partnership, copartnership, firm, company, public or private corporation, association, joint stock company, trust, estate, political subdivision or any agency, board, department or bureau of the state or federal government, or any other legal entity which is recognized by law as the subject of rights and duties;

(3) "Proof of age", a driver's license or other generally accepted means of identification that contains a picture of the individual and appears on its face to be valid;

(4) "Sample", a weight loss pill distributed to members of the general public at no cost or at nominal cost for product promotional purposes;

(5) "Sampling", the distribution to members of the general public of weight loss pill samples;

(6) "Weight loss pill", any pill which is marketed and purchased for the purpose of weight loss. The term "weight loss pill" includes, but is not limited to, any pill which contains at least one of the following ingredients:

(a) Phenylpropanolamine;

(b) Phentermine;

(c) Phendimetrazine;

(d) Dextroamphetamine;

(e) Benzphetamine;

(f) Diethylpropion; or

(g) Any other similar ingredient.

Section 9. The owner of an establishment at which weight loss pills are sold at retail shall prominently display in a conspicuous place at every display from which weight loss pills are sold a sign that shall contain in red lettering at least one-half inch high on a white background the following: "It is a violation of state law for weight loss pills to be sold to any person less than twenty-one years of age."

Section 10. 1. A person selling weight loss pills or distributing weight loss pill samples shall require proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that such prospective purchaser or recipient may be less than twenty-one years of age.

2. Reasonable reliance on proof of age or on the appearance of the purchaser or recipient shall be a defense to any action for a violation of subsections 2 and 3 of section 11 of this act. No person shall be liable for more than one violation of subsections 2 and 3 of section 11 of this act on any single day.

Section 11. 1. It shall be unlawful for any person to engage in weight loss pill distribution to persons less than twenty-one years of age.

2. No person shall sell any weight loss pills or distribute any weight loss pills to any person less than twenty-one years of age.

3. Any person who violates subsection 1 or 2 of this section or section 9 of this act shall be fined:

(1) For the first offense, twenty-five dollars;

(2) For the second offense, one hundred dollars;

(3) For a third and subsequent offense, two hundred fifty dollars.

4. If a sale is made by an employee of the owner of an establishment in violation of sections 8 to 12 of this act, the employee shall be guilty of an offense established in subsections 2 and 3 of this section. If a sample is distributed by an employee of a company conducting the sampling, such employee shall be guilty of an offense established in subsections 2 and 3 of this section.

Section 12. Nothing in sections 8 to 11 of this act shall prohibit any person less than twenty-one years of age from purchasing any over-the-counter products marketed for any reason other than weight loss, including but not limited to medications for the relief of allergies, colds or coughs, even if such products contain one or more of the ingredients listed in subdivision (6) of section 8 of this act.".

Representative Shields raised a point of order that House Amendment No. 11 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Smith offered House Amendment No. 1 to House Amendment No. 11.

Representative Williams (121) raised a point of order that House Amendment No. 1 to House Amendment No. 11 is in the third degree.

The Chair ruled the point of order well taken.

Representative Williams (121) moved that House Amendment No. 11 be adopted.

Which motion was defeated.

Representative Broach offered House Amendment No. 12.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1186 and 1108, Page 1, In the Title, Line 4 of said page, by inserting after all of said line the number "195.017,"; and

Further amend said bill, Page 1, In the Title, Line 7 of said page, by deleting the word "twenty-five" and inserting in lieu thereof the word "twenty-six"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by inserting immediately after the number "195.010," the number "195.017,"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "five" and inserting in lieu thereof the word "six"; and

Further amend said bill, page 1, Section A, Line 18 of said page, by inserting immediately after the number "195.010," the number "195.017,"; and

Further amend said bill, Page 20, Section 195.010, Line 17 of said page, by inserting after all of said line the following:

"195.017. 1. The department of health shall place a substance in Schedule I if it finds that the substance:

(1) Has high potential for abuse; and

(2) Has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision.

2. Schedule I:

(1) The controlled substances listed in this subsection are included in Schedule I;

(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

(a) Acetyl-alpha-methylfentanyl;

(b) Acetylmethadol;

(c) Allylprodine;

(d) Alphacetylmethadol;

(e) Alphameprodine;

(f) Alphamethadol;

(g) Alpha-methylfentanyl;

(h) Alpha-methylthiofentanyl;

(i) Benzethidine;

(j) Betacetylmethadol;

(k) Beta-hydroxyfentanyl;

(l) Beta-hydroxy-3-methylfentanyl;

(m) Betameprodine;

(n) Betamethadol;

(o) Betaprodine;

(p) Clonitazene;

(q) Dextromoramide;

(r) Diampromide;

(s) Diethylthiambutene;

(t) Difenoxin;

(u) Dimenoxadol;

(v) Dimepheptanol;

(w) Dimethylthiambutene;

(x) Dioxaphetyl butyrate;

(y) Dipipanone;

(z) Ethylmethylthiambutene;

(aa) Etonitazene;

(bb) Etoxeridine;

(cc) Furethidine;

(dd) Hydroxypethidine;

(ee) Ketobemidone;

(ff) Levomoramide;

(gg) Levophenacylmorphan;

(hh) 3-Methylfentanyl;

(ii) 3-Methylthiofentanyl;

(jj) Morpheridine;

(kk) MPPP;

(ll) Noracymethadol;

(mm) Norlevorphanol;

(nn) Normethadone;

(oo) Norpipanone;

(pp) Para-fluorofentanyl;

(qq) PEPAP;

(rr) Phenadoxone;

(ss) Phenampromide;

(tt) Phenomorphan;

(uu) Phenoperidine;

(vv) Piritramide;

(ww) Proheptazine;

(xx) Properidine;

(yy) Propiram;

(zz) Racemoramide;

(aaa) Thiofentanyl;

(bbb) Tilidine;

(ccc) Trimeperidine;

(3) Any of the following opium derivatives, their salts, isomers and salts of isomers unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(a) Acetorphine;

(b) Acetyldihydrocodeine;

(c) Benzylmorphine;

(d) Codeine methylbromide;

(e) Codeine-N-Oxide;

(f) Cyprenorphine;

(g) Desomorphine;

(h) Dihydromorphine;

(i) Drotebanol;

(j) Etorphine; (except Hydrochloride Salt);

(k) Heroin;

(l) Hydromorphinol;

(m) Methyldesorphine;

(n) Methyldihydromorphine;

(o) Morphine methylbromide;

(p) Morphine methylsulfonate;

(q) Morphine-N-Oxide;

(r) Myrophine;

(s) Nicocodeine;

(t) Nicomorphine;

(u) Normorphine;

(v) Pholcodine;

(w) Thebacon;

(4) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(a) 4-bromo-2,5-dimethoxyamphetamine;

(b) 4-bromo-2, 5-dimethoxyphenethylamine;

(c) 2,5-dimethoxyamphetamine;

(d) 2,5-dimethoxy-4-ethylamphetamine;

(e) 4-methoxyamphetamine;

(f) 5-methoxy-3,4-methylenedioxyamphetamine;

(g) 4-methyl-2,5-dimethoxy amphetamine;

(h) 3,4-methylenedioxyamphetamine;

(i) 3,4-methylenedioxymethamphetamine;

(j) 3,4-methylenedioxy-N-ethylamphetamine;

(k) N-nydroxy-3, 4-methylenedioxyamphetamine;

(l) 3,4,5-trimethoxyamphetamine;

(m) Alpha-ethyltryptamine;

(n) Bufotenine;

(o) Diethyltryptamine;

(p) Dimethyltryptamine;

(q) Ibogaine;

(r) Lysergic acid diethylamide;

(s) Marijuana; (Marihuana);

(t) Mescaline;

(u) Parahexyl;

(v) Peyote, to include all parts of the plant presently classified botanically as Lophophora Williamsil Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seed or extracts;

(w) N-ethyl-3-piperidyl benzilate;

(x) N-methyl-3-piperidyl benzilate;

(y) Psilocybin;

(z) Psilocyn;

(aa) Tetrahydrocannabinols;

(bb) Ethylamine analog of phencyclidine;

(cc) Pyrrolidine analog of phencyclidine;

(dd) Thiophene analog of phencyclidine;

(ee) 1-(1-(2-thienyl)cyclohexyl) pyrrolidine;

(5) Any material, compound, mixture or preparation containing any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(a) Mecloqualone;

(b) Methaqualone;

(6) Any material, compound, mixture or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers:

(a) Aminorex;

(b) Cathinone;

(c) Fenethylline;

(d) Methcathinone;

(e) (+)cis-4-methylaminorex ((+)cis-4,5-dihydro- 4-methyl-5-phenyl-2-oxazolamine);

(f) N-ethylamphetamine;

(g) N,N-dimethylamphetamine;

(7) A temporary listing of substances subject to emergency scheduling under federal law shall include any material, compound, mixture or preparation which contains any quantity of the following substances:

(a) N-(1-benzyl-4-piperidyl)-N-phenyl-propanamide (benzylfentanyl), its optical isomers, salts and salts of isomers;

(b) N-(1-(2-thienyl) methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers.

3. The department of health shall place a substance in Schedule II if it finds that:

(1) The substance has high potential for abuse;

(2) The substance has currently accepted medical use in treatment in the United States, or currently accepted medical use with severe restrictions; and

(3) The abuse of the substance may lead to severe psychic or physical dependence.

4. The controlled substances listed in this subsection are included in Schedule II:

(1) Any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(a) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone, and their respective salts but including the following:

a. Raw opium;

b. Opium extracts;

c. Opium fluid;

d. Powdered opium;

e. Granulated opium;

f. Tincture of opium;

g. Codeine;

h. Ethylmorphine;

i. Etorphine hydrochloride;

j. Hydrocodone;

k. Hydromorphone;

l. Metopon;

m. Morphine;

n. Oxycodone;

o. Oxymorphone;

p. Thebaine;

(b) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in this subdivision, but not including the isoquinoline alkaloids of opium;

(c) Opium poppy and poppy straw;

(d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine;

(e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy);

(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation, dextrorphan and levopropoxyphene excepted:

(a) Alfentanil;

(b) Alphaprodine;

(c) Anileridine;

(d) Bezitramide;

(e) Bulk Dextropropoxyphene;

(f) Carfentanil;

(g) Butyl nitrite;

(h) Dihydrocodeine;

(i) Diphenoxylate;

(j) Fentanyl;

(k) Isomethadone;

(l) Levo-alphacetylmethadol;

(m) Levomethorphan;

(n) Levorphanol;

(o) Metazocine;

(p) Methadone;

(q) Meperidine;

(r) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;

(s) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane--carboxylic acid;

(t) Pethidine;

(u) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

(v) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;

(w) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperdine-4-carboxylic acid;

(x) Phenazocine;

(y) Piminodine;

(z) Racemethorphan;

(aa) Racemorphan;

(bb) Sulfentanil;

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;

(b) Methamphetamine, its salts, isomers, and salts of its isomers;

(c) Phenmetrazine and its salts;

(d) Methylphenidate;

(4) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(a) Amobarbital;

(b) Glutethimide;

(c) Pentobarbital;

(d) Phencyclidine;

(e) Secobarbital;

(5) Any material, compound or compound which contains any quantity of the following substances:

(a) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product;

(b) Nabilone;

(6) Any material, compound, mixture, or preparation which contains any quantity of the following substances:

(a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;

(b) Immediate precursors to phencyclidine (PCP):

a. 1-phenylcyclohexylamine;

b. 1-piperidinocyclohexanecarbonitrile (PCC).

5. The department of health shall place a substance in Schedule III if it finds that:

(1) The substance has a potential for abuse less than the substances listed in Schedules I and II;

(2) The substance has currently accepted medical use in treatment in the United States; and

(3) Abuse of the substance may lead to moderate or low physical dependence or high psychological dependence.

6. The controlled substances listed in this subsection are included in Schedule III:

(1) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

(a) Benzphetamine;

(b) Chlorphentermine;

(c) Clortermine;

(d) Phendimetrazine;

(2) Any material, compound, mixture or preparation which contains any quantity or salt of the following substances or salts having a depressant effect on the central nervous system:

(a) Any material, compound, mixture or preparation which contains any quantity or salt of the following substances combined with one or more active medicinal ingredients:

a. Amobarbital;

b. Secobarbital;

c. Pentobarbital;

(b) Any suppository dosage form containing any quantity or salt of the following:

a. Amobarbital;

b. Secobarbital;

c. Pentobarbital;

(c) Any substance which contains any quantity of a derivative of barbituric acid or its salt;

(d) Chlorhexadol;

(e) Lysergic acid;

(f) Lysergic acid amide;

(g) Methyprylon;

(h) Sulfondiethylmethane;

(i) Sulfonethylmethane;

(j) Sulfonmethane;

(k) Tiletamine and zolazepam or any salt thereof;

(3) Nalorphine;

(4) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or their salts:

(a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

(d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;

(e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or more than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;

(f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(g) Not more than five hundred milligrams of opium per one hundred milliliters or per one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more active nonnarcotic ingredients in

recognized therapeutic amounts;

(h) Not more than fifty milligrams of morphine per one hundred milliliters or per one hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(5) Anabolic steroids. Unless specially excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any quantity of the following substances, including its salts, isomers and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation:

(a) Boldenone;

(b) Chlorotestosterone (4-Chlortestosterone);

(c) Clostebol;

(d) Dehydrochlormethyltestosterone;

(e) Dihydrostestosterone (4-Dihydro-testosterone);

(f) Drostanolone;

(g) Ethylestrenol;

(h) Fluoxymesterone;

(i) Formebulone (Formebolone);

(j) Mesterolone;

(k) Methandienone;

(l) Methandranone;

(m) Methandriol;

(n) Methandrostenolone;

(o) Methenolone;

(p) Methyltestosterone;

(q) Mibolerone;

(r) Nandrolone;

(s) Norethandrolone;

(t) Oxandrolone;

(u) Oxymesterone;

(v) Oxymetholone;

(w) Stanolone;

(x) Stanozolol;

(y) Testolactone;

(z) Testosterone;

(aa) Trenbolone;

(bb) Any salt, ester, or isomer of a drug or substance described or listed in this subdivision, if that salt, ester or isomer promotes muscle growth except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the secretary of health and human services for that administration.

(6) The department of health may except by rule any compound, mixture, or preparation containing any stimulant or depressant substance listed in subdivisions (1) and (2) of this subsection from the application of all or any part of sections 195.010 to 195.320 if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a stimulant or depressant effect on the central nervous system.

7. The department of health shall place a substance in Schedule IV if it finds that:

(1) The substance has a low potential for abuse relative to substances in Schedule III;

(2) The substance has currently accepted medical use in treatment in the United States; and

(3) Abuse of the substance may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III.

8. The controlled substances listed in this subsection are included in Schedule IV:

(1) Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(a) Not more than one milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(b) Dextropropoxyphene (alpha-(+)-4-dimethy-lamino-1, 2-diphenyl-3- methyl-2-propionoxybutane);

(c) Any of the following limited quantities of narcotic drugs or their salts, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

a. Not more than two hundred milligrams of codeine per one hundred milliliters or per one hundred grams;

b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters or per one hundred grams;

c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters or per one hundred grams;

(2) Any material, compound, mixture or preparation containing any quantity of the following substances, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(a) Alprazolam;

(b) Barbital;

(c) Bromazepam;

(d) Camazepam;

(e) Chloral betaine;

(f) Chloral hydrate;

(g) Chlordiazepoxide;

(h) Clobazam;

(i) Clonazepam;

(j) Clorazepate;

(k) Clotiazepam;

(l) Cloxazolam;

(m) Delorazepam;

(n) Diazepam;

(o) Estazolam;

(p) Ethchlorvynol;

(q) Ethinamate;

(r) Ethyl loflazepate;

(s) Fludiazepam;

(t) Flunitrazepam;

(u) Flurazepam;

(v) Halazepam;

(w) Haloxazolam;

(x) **Ketamine**

(y) Ketazolam;

[(y)] **(z)** Loprazolam;

[(z)] **(aa)** Lorazepam;

[(aa)] **(bb)** Lormetazepam;

[(bb)] **(cc)** Mebutamate;

[(cc)] **(dd)** Medazepam;

[(dd)] **(ee)** Meprobamate;

[(ee)] **(ff)** Methohexital;

[(ff)] **(gg)** Methylphenobarbital;

[(gg)] **(hh)** Midazolam;

[(hh)] **(ii)** Nimetazepam;

[(ii)] **(jj)** Nitrazepam;

[(jj)] **(kk)** Nordiazepam;

[(kk)] **(ll)** Oxazepam;

[(ll)] **(mm)** Oxazolam;

[(mm)] **(nn)** Paraldehyde;

[(nn)] **(oo)** Petrichloral;

[(oo)] **(pp)** Phenobarbital;

[(pp)] **(qq)** Pinazepam;

[(qq)] **(rr)** Prazepam;

[(rr)] **(ss)** Quazepam;

[(ss)] **(tt)** Temazepam;

[(tt)] **(uu)** Tetrazepam;

[(uu)] **(vv)** Triazolam;

[(vv)] **(ww)** Zolpidem;

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substance including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible: fenfluramine;

(4) Any material, compound, mixture or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers:

(a) Cathine ((+)-norpseudoephedrine);

(b) Diethylpropion;

(c) Fencamfamin;

(d) Fenproporex;

(e) Mazindol;

(f) Mefenorex;

(g) Pemoline, including organometallic complexes and chelates thereof;

(h) Phentermine;

(i) Pipradrol;

(j) SPA ((-)-1-dimethyamino-1,2-diphenylethane);

(5) Any material, compound, mixture or preparation containing any quantity of the following substance, including its salts: pentazocine;

(6) Any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including their salts, isomers and salts of isomers: ephedrine or its salts, optical isomers, or salts of optical isomers as the only active medicinal ingredient or contains ephedrine or its salts, optical isomers, or salts of optical isomers and therapeutically insignificant quantities of another active medicinal ingredient;

(7) The department of health may except by rule any compound, mixture, or preparation containing any depressant substance listed in subdivision (1) of this subsection from the application of all or any part of sections 195.010 to 195.320 if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

9. The department of health shall place a substance in Schedule V if it finds that:

(1) The substance has low potential for abuse relative to the controlled substances listed in Schedule IV;

(2) The substance has currently accepted medical use in treatment in the United States; and

(3) The substance has limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV.

10. The controlled substances listed in this subsection are included in Schedule V:

(1) Any material, compound, mixture or preparation containing any of the following narcotic drug and its salts: buprenorphine;

(2) Any compound, mixture or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(a) Not more than two and five-tenths milligrams of diphenoxylate and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(b) Not more than one hundred milligrams of opium per one hundred milliliters or per one hundred grams;

(c) Not more than five-tenths milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(3) Any material, compound, mixture or preparation which contains any quantity of the following substance having a stimulant effect on the central nervous system including its salts, isomers and salts of isomers: pyrovalerone.

11. The department of health shall revise and republish the schedules annually.".

On motion of Representative Broach, House Amendment No. 12 was adopted.

Representative Hohulin offered House Amendment No. 13.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1147, 1435, 1050, 1186 and 1108, Page 77, Section 4, Line 2, by adding the following:

"The theft of any amount of anhydrous ammonia is a class D Felony."

On motion of Representative Hohulin, House Amendment No. 13 was adopted.

On motion of Representative Hosmer, **HS HCS HBs 1147, 1435, 1050, 1186 & 1108, as amended,** was adopted.

On motion of Representative Hosmer, **HS HCS HBs 1147, 1435, 1050, 1186 & 1108, as amended,** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1095**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred **HB 1322**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1322, Page 2, Section 354.535, Line 23, by deleting the word "provider" and inserting in lieu thereof the phrase "[provider] **physician or other licensed health care practitioner**".

Committee on Workers Compensation and Employment Security, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred **HB 1237, HB 1409, HB 1166, HB 1154,** and **HB 1491**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1814, introduced by Representative Troupe, relating to the department of corrections.

HB 1815, introduced by Representatives DeMarce and Monaco, relating to child protection.

HB 1816, introduced by Representative Thompson (72), et al, relating to tax credits for gifts of personal property made to persons whose income is below the federal poverty level.

HB 1817, introduced by Representative Thompson (72), et al, relating to truancy.

HB 1818, introduced by Representative Evans, et al, relating to income taxation.

HB 1819, introduced by Representative Evans, et al, relating to income taxation.

HB 1820, introduced by Representatives Gaskill, Bartelsmeyer and Berkstresser, relating to associate circuit judges.

HB 1821, introduced by Representative Gaskill, relating to income taxation.

HB 1822, introduced by Representatives Kelly (27), Dougherty, Days, Murray, Hollingsworth and Riback Wilson, for the purpose of complying with the federal mandates relating to permanency for children in alternative care.

HB 1823, introduced by Representative Auer, et al, relating to land conservation and development.

HB 1824, introduced by Representative Reynolds, et al, relating to the department of health.

HB 1825, introduced by Representative Foster, et al, relating to motor vehicles.

HB 1826, introduced by Representative Holand, relating to religious and charitable associations.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 488**, entitled:

An act to repeal sections 21.570 and 162.857, RSMo Supp. 1997, relating to special school districts and vocational education, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 532, 806 & 633**, entitled:

An act to repeal sections 195.211, 195.222, 195.223, 195.420, 195.509, 311.720, 542.276, 568.045 and 569.085, RSMo 1994, and sections 195.010 and 195.400, RSMo Supp. 1997, and to enact in lieu thereof fourteen new sections relating to controlled substances, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 553**, entitled:

An act to repeal section 167.223, RSMo 1994, relating to postsecondary course options, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 588**, entitled:

An act to repeal section 178.930, RSMo Supp. 1997, relating to funding for sheltered workshops, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 658**, entitled:

An act to repeal sections 164.011 and 165.011, RSMo Supp. 1997, relating to school funds, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 756**, entitled:

An act to repeal section 105.271, RSMo 1994, and section 453.015, RSMo Supp. 1997, relating to employee leave for stepparents, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, February 23, 1998.

COMMITTEE MEETINGS

BUDGET

Monday, February 23, 1998, 2:00 pm. Hearing Room 9.

To be considered - HB 1001, HB 1004, HB 1005

BUDGET

Tuesday, February 24, 1998, 8:30 am. Hearing Room 9.

To be considered - HB 1004, HB 1005, HB 1012

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 25, 1998, 3:00 pm. Hearing Room 1.

To be considered - HB 1571, HB 1581, HB 1653, HB 1744, HB 1760, Executive Session - HB 1065

CRITICAL ISSUES

Monday, February 23, 1998, 7:30 pm. Hearing Room 6. AMENDED

To be considered - HB 1643, HB 1552, HB 1549, HB 1550, HB 1717, HB 1749

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 24, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1632, HB 1619, HB 1771, Executive Session - HB 968,

Executive Session - HB 1088, Executive Session - HB 1683, Executive Session - HB 1110,

Executive Session - HB 1265

ELECTIONS

Tuesday, February 24, 1998, 7:30 pm. Hearing Room 8.

To be considered - HB 1642, HB 1446, HJR 47

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 25, 1998, 8:30 am. Hearing Room 8. Possible Executive Session.

To be considered - HB 1657, HB 1724

INSURANCE

Tuesday, February 24, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1175, Executive Session - HB 1316, Executive Session - HB 1565,

Executive Session - HB 1198, Executive Session - HB 1374

JUDICIARY

Tuesday, February 24, 1998, 3:00 pm. Hearing Room 5. Executive session will follow.

To be considered - HB 1665, HB 1737, HB 990, HB 1369

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 24, 1998, 3:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - HB 1492, HB 1559, HB 1586, HB 1593, HB 1594, HB 1622,

HB 1630, HB 1734, HB 1636, HB 1705

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 24, 1998, 3:00 pm. Hearing Room 7. Executive session to follow.

To be considered - HB 1518, HB 1170, HB 1192, HB 1246, HB 1696, HB 1466,

HB 1710, HB 1493

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 25, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 1597, HB 1686, HB 1720, HB 1762, HB 1769, HB 1753

PUBLIC HEALTH AND SAFETY

Tuesday, February 24, 1998, 3:00 pm. Hearing Room 9. Executive session may follow.

To be considered - HB 1302, HB 1419, HB 1629, HB 1584

SUB-COMMITTEE OF PROFESSIONAL REGISTRATION

Tuesday, February 24, 1998, 8:30 am. Hearing Room 5.

Accessibility of Missouri consumers to records of medical professionals.

WAYS AND MEANS

Tuesday, February 24, 1998, 3:00 pm. Hearing Room 6. Executive session to follow.

To be considered - HB 1279, HB 1248, HB 1530, HB 1529, HB 1461, HB 1331,

HB 1471, HB 1502, HB 1557, HB 1666, HB 1522, HB 1661, HB 1413

HOUSE CALENDAR

Twenty-seventh Day, Monday, February 23, 1998

HOUSE BILLS FOR SECOND READING

HB 1814 through HB 1826

HOUSE BILLS FOR PERFECTION

HCS HB 1197 - Gunn

HB 1144 - Mays (50)

HCS HB 957 & 1063 - Hoppe

HCS HB 1412 - Harlan

HB 1160 - Treadway

HB 1609 - Shelton (57)

HB 927 - Hosmer

HCS HB 1315 - Dougherty

HCS HB 1525, 1269 & 1430 - McBride

HCS HB 1273, 943 & 1217 - Days

HCS HB 1195 - May (108)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

HOUSE BILLS FOR THIRD READING

HCS HB 1469, (Budget Fiscal 2-16-98) - Relford

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1519 & 1165, (Budget Fiscal 2-19-98) - Boucher

HCS HB 1094, 1213, 1311 & 1428, (Budget Fiscal 2-19-98) - Treadway

HB 1148 - Rizzo

SENATE BILLS FOR SECOND READING

SB 488

SCS SB 532, 806 & 633

SB 553

SB 588

SB 658

SB 756


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House Journal

Second Regular Session, 89th General Assembly

TWENTY-FIFTH DAY, Wednesday, February 18, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Creator God, we live in a world made imperfect by our human failings; made imperfect by the acts of mistrust and dishonesty; and yet we are aware of Your grace and most of all your merciful forgiveness.

When we act in pettiness, help us to rise above it and seek the more important issues. When we experience injustice, help us to stand against it and seek justice and equality. When we witness the indignity of suffering, help us seek ways to alleviate the cause rather than to bandage the symptoms.

Gracious God, these representatives are called upon to discern the best ways to deal with our human interaction in this state - and are called upon to look seriously at the plagues of drugs, crime, abuse, as well as the common every day issues of keeping business running as smoothly as possible. Give them insight and wisdom to look deeper than what may be initially visible; give them courage to dig to the core of truth; give them stamina to face each day's task. Most of all, reassure them of your presence.

In the depth of your understanding receive our prayers, spoken and unspoken, Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Wayne Laboube, Jamie Sisk and Josie Sisk.

The Journal of the twenty-fourth day was approved as corrected.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 155

Alter Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Legan
Levin Liese Linton Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Shear
Sheldon 104 Shelton 57 Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Lograsso

ABSENT WITH LEAVE: 006

Akin Bonner Cooper Edwards-Pavia Leake

Shields

VACANCY: 001

RESOLUTIONS

Representative Lawson offered House Resolution No. 258 through House Resolution 264, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Townley offered House Resolution No. 265, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith offered House Resolution No. 266, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 267, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 268, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1785 through **HB 1799** were read the second time.

SECOND READING OF SENATE BILLS

SB 550, SB 580, SB 597, SB 653, SB 676, SB 720, SB 734 and **SB 739** were read the second time.

COMMITTEE REPORTS

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution No. 219** through **House Resolution No. 251,** and **House Resolution No. 253** through **House Resolution No. 257**, begs leave to report it has examined the same and recommends that they **Do Pass**.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 922, HCS HB 1167,** and **HCS HB 1620**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 1014, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCS HB 1014** was read the third time and passed by the following vote:

AYES: 149

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Holand Hollingsworth Hoppe Hosmer Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Ransdall
Reinhart Relford Reynolds Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Shear
Sheldon 104 Shelton 57 Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 006

Hall Hohulin Howerton Pryor Purgason
Richardson

PRESENT: 000

ABSENT WITH LEAVE: 007

Akin Bonner Cooper Edwards-Pavia Leake
Shields Thompson 37

VACANCY: 001

Speaker Gaw declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Barry moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HCS HBs 1094, 1213, 1311 & 1428, relating to estheticians, physician assistants and real estate brokers, was taken up by Representative Treadway.

Representative Treadway offered House Amendment No. 1.

House Amendment No. 1 was withdrawn.

Representative Dougherty offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 1094, 1213, 1311 and 1428, Page 1, In the Title, Line 5, by deleting the word "twenty" and inserting in lieu thereof the word "twenty-one"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the number "329.265," the number "334.108,"; and

Further amend said bill, Page 2, Section 329.265, Line 9, by inserting after all of said line the following:

"**334.108. 1. If a physician is unable to provide a patient with the patient's medical records within ten days of the patient's request for such medical records, the physician shall pay all costs associated with duplicating such records which shall include costs for retrieval and copying such medical records and for any additional medical tests for which the results have been lost.**

2. The state board of registration for the healing arts may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to this chapter or by suspending or revoking such license if a physician refuses to comply with subsection 1 of this section.".

Representative Dougherty moved that House Amendment No. 1 be adopted.

Which motion was defeated.

Representative Treadway offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bills Nos. 1094, 1213, 1311 and 1428, Page 3, Section 334.735, Line 62, by deleting the word "**condition**" and inserting in lieu thereof the word "**conditions**".

On motion of Representative Treadway, House Amendment No. 2 was adopted.

Representative Barry offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 1094, 1213, 1311 & 1428, Page 3, Section 334.735, Line 71, by inserting after the word "assistant" the following:

"**or advanced practice nurse as defined in Section 335.016, RSMo.**"

On motion of Representative Barry, House Amendment No. 3 was adopted.

Representative Naeger offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 1094, 1213, 1311 & 1428, Page 4, Line 76, following the word "less." by adding the following:

(7) When a physician assistant supervision agreement is utilized to provide health care services for other than acute self-limited conditions, the supervising physician or other physician designated in the supervision agreement shall examine the patient for evaluation and approve or formulate the plan of treatment for new or changed conditions as soon as possible, but in no case more than two (2) weeks after the patient has been seen by the physician assistant.

Representative Naeger moved that House Amendment No. 4 be adopted.

Which motion was defeated.

Representative Bennett offered House Amendment No. 5.

Representative Foley raised a point of order that House Amendment No. 5 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered House Amendment No. 5.

Representative Foley raised a point of order that House Amendment No. 5 beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill Nos. 1094, 1213, 1311 & 1428, Page 3, Section 334.735, Line 54, by adding after said line the following:

(11) Physician assistants shall not perform assisted suicide.

Representative Froelker moved that House Amendment No. 5 be adopted.

Which motion was defeated.

On motion of Representative Treadway, **HCS HBs 1094, 1213, 1311 & 1428, as amended**, was adopted.

On motion of Representative Treadway, **HCS HBs 1094, 1213, 1311 & 1428, as amended**, was ordered perfected and printed.

HB 1148, relating to petroleum storage tanks, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HB 1148** was ordered perfected and printed.

HB 995, relating to high occupancy vehicle lanes, was taken up by Representative Bray.

HB 995 was placed on the Informal Calendar.

Speaker Pro Tem Kreider assumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 551**, entitled:

An act to repeal section 247.180, RSMo Supp. 1997, relating to elections, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 579**, entitled:

An act authorizing the governor to convey certain state property in Camden County.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 674**, entitled:

An act to repeal sections 453.010, 453.030, 453.040, 453.070, 453.075, 453.077, 453.080 and 453.170, RSMo Supp. 1997, relating to adoption, and to enact in lieu thereof eight new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 732**, entitled:

An act to repeal section 337.021, RSMo Supp. 1997, relating to the initial licensure of psychologists, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 50 - Transportation

HJR 51 - Education - Elementary and Secondary

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1720 - Professional Registration and Licensing

HB 1721 - Local Government and Related Matters

HB 1722 - Utilities Regulation

HB 1723 - Motor Vehicle and Traffic Regulations

HB 1724 - Governmental Organization and Review

HB 1725 - Children, Youth and Families

HB 1726 - Correctional and State Institutions

HB 1727 - Transportation

HB 1729 - Local Government and Related Matters

HB 1730 - Motor Vehicle and Traffic Regulations

HB 1731 - Education - Higher

HB 1733 - Public Health and Safety

HB 1734 - Local Government and Related Matters

HB 1735 - Agriculture

HB 1736 - Critical Issues

HB 1737 - Judiciary

HB 1738 - Agriculture

HB 1739 - Local Government and Related Matters

HB 1740 - Public Health and Safety

HB 1741 - Critical Issues

HB 1742 - Environment and Energy

HB 1743 - Professional Registration and Licensing

HB 1744 - Civil and Administrative Law

HB 1746 - Motor Vehicle and Traffic Regulations

HB 1747 - Correctional and State Institutions

HB 1748 - Labor

HB 1749 - Critical Issues

HB 1750 - Consumer Protection

HB 1752 - Children, Youth and Families

HB 1753 - Professional Registration and Licensing

HB 1754 - Ways and Means

HB 1755 - Criminal Law

HB 1756 - Insurance

HB 1757 - Motor Vehicle and Traffic Regulations

HB 1758 - Education - Elementary and Secondary

HB 1759 - Environment and Energy

HB 1760 - Civil and Administrative Law

HB 1761 - Elections

HB 1762 - Professional Registration and Licensing

HB 1763 - Retirement

HB 1764 - Transportation

HB 1766 - Local Government and Related Matters

HB 1767 - Local Government and Related Matters

HB 1768 - Budget

HB 1769 - Professional Registration and Licensing

HB 1770 - Consumer Protection

HB 1771 - Education - Elementary and Secondary

HB 1772 - Transportation

HB 1773 - Judiciary

HB 1775 - Criminal Law

HB 1776 - Retirement

HB 1777 - Professional Registration and Licensing

HB 1778 - Motor Vehicle and Traffic Regulations

HB 1779 - Criminal Law

COMMITTEE REPORT

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1455 and HB 1463**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1800, introduced by Representative Troupe, relating to state supplemental funding for the WIC program.

HB 1801, introduced by Representative Kreider, relating to state purchasing.

HB 1802, introduced by Representative Thomason (163), for the purpose of the enforcement of the motor vehicle financial responsibility law.

HB 1803, introduced by Representative Scheve, relating to excursion gambling boats.

HB 1804, introduced by Representative Scheve, relating to prepaid higher education tuition programs.

HB 1805, introduced by Representative Chrismer, relating to authorizing the governor to convey certain property to the city of St. Peters.

HB 1806, introduced by Representative Lakin, relating to transfers of assets by nonprofit hospitals.

HB 1807, introduced by Representative Bartelsmeyer, relating to certain city offices.

HB 1808, introduced by Representative Hosmer, relating to municipal officials.

HB 1809, introduced by Representative Marble, relating to probation terms.

HB 1810, introduced by Representative Hendrickson, relating to school buses.

HB 1811, introduced by Representatives O'Toole and May (108), relating to retirement benefits for members of certain firemen's retirement system.

HB 1812, introduced by Representative Wooten, et al, relating to state emblems.

HB 1813, introduced by Representative Wooten, relating to the retirement of judges.

WITHDRAWAL OF HOUSE BILL

February 17, 1998

The Honorable Steve Gaw, Speaker

House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 1061** be withdrawn for further consideration.

Thank you for your attention to this matter.

Sincerely,

/s/ Chuck Gross

The following members' presence were noted: Bonner and Shields

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, February 19, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-Fourth Day, Tuesday, February 17, 1998, page 275, by inserting after line 13, the following: "On motion of Representative Bland, House Amendment No. 1 was adopted".

Pages 266 and 267, roll call, by showing Representative Bennett (15) voting "aye" rather than "absent with leave".

Pages 272 and 273, roll call, by showing Representative O'Connor voting "no" rather than "absent with leave".

Pages 274 and 275, roll call, by showing Representative O'Connor voting "no" rather than "absent with leave".

Pages 276 and 277, roll call, by showing Representative Broach voting "no" rather than "absent with leave".

Pages 278 and 279, roll call, by showing Representative Gaston voting "aye" rather than "no".

Pages 278 and 279, roll call, by showing Representative Stokan voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

ENVIRONMENT AND ENERGY

Thursday, February 19, 1998, 9:00 am. Hearing Room 6.

To be considered - HB 1512, Executive Session - HB 1394

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 19, 1998, 8:30 am. Hearing Room 7. Contested fiscal notes. AMENDED

To be considered - HB 922, SB 491

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 19, 1998, 8:45 am. Hearing Room 7.

Presentation of Oversight Reports and other business.

PROFESSIONAL REGISTRATION & LICENSING

Thursday, February 19, 1998, 9:30 am. Room 401.

To be considered - Executive Session - HB 1361, Executive Session - HB 1591

UTILITIES REGULATION

Thursday, February 19, 1998, 8:30 am. Hearing Room 8. Executive session may or may not follow.

To be considered - HB 1677, HB 1697

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Thursday, February 19, 1998, 9:30 am. Side gallery. Executive session to follow.

To be considered - HB 1237

HOUSE CALENDAR

Twenty-sixth Day, Thursday, February 19, 1998

HOUSE BILLS FOR SECOND READING

HB 1800 through HB 1813

HOUSE BILLS FOR PERFECTION

HCS HB 1147, 1435, 1050, 1186 & 1108 - Hosmer

HCS HB 1197 - Gunn

HB 1144 - Mays (50)

HCS HB 957 & 1063 - Hoppe

HCS HB 1412 - Harlan

HB 1160 - Treadway

HB 1609 - Shelton (57)

HB 927 - Hosmer

HCS HB 1315 - Dougherty

HCS HB 1525, 1269 & 1430 - McBride

HCS HB 1273, 943 & 1217 - Days

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

HOUSE BILLS FOR THIRD READING

HCS HB 1469 (Budget Fiscal 2-16-98) - Relford

HCS HB 1167 (Budget Fiscal 2-17-98) - Relford

HCS HB 1620 - Overschmidt

HCS HB 922 (Budget Fiscal 2-17-98) - Gratz

HB 1473 - Hoppe

HCS HB 1519 & 1165 - Boucher

SENATE BILLS FOR SECOND READING

SB 551

SB 579

SB 674

SCS SB 732

COURTESY RESOLUTIONS

HR 219 - Crawford

HR 220 - Elliott

HR 221 and HR 222 - Pouche

HR 223 - Crawford

HR 224 - Loudon

HR 225 - Hartzler (124)

HR 226 - Relford

HR 227 through HR 229 - DeMarce

HR 230 and HR 231 - Thompson (37)

HR 232 and HR 233 - Clayton

HR 234 - Farnen

HR 235 - Shields

HR 236 and HR 237 - Backer

HR 238 and HR 239 - Scott

HR 240 - Gaw

HR 241 - Williams (121)

HR 242 through HR 244 - Secrest

HR 245 through HR 247 - Kelley (47)

HR 248 - Hartzler (124)

HR 249 - Green

HR 250 - Leake

HR 251 - McLuckie

HR 253 - Dougherty

HR 254 - Ross

HR 255 - Backer

HR 256 and HR 257 - Purgason


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House Journal

Second Regular Session, 89th General Assembly

TWENTY-SEVENTH DAY, Monday, February 23, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Vanity of vanities and all is vanity, all things are vanity says Qoheleth" (Eccles. 1:2-NAB)

I have been fascinated recently by the use of technology to create illusions, the best and latest example was the film Titanic, and last week there was a report of a television news set somewhere which creates the ultimate in illusions.

As the Christian world readies for the Lenten season on Wednesday, I pray this afternoon Eternal God for the gift of discernment which helps me cut through the illusions I create for myself and from those which abound in our culture. Give me a reality check, the wisdom to know that virtual reality is what I often live by and operate from. Take away the illusions, the false chasing after dreams and elusive ideas which are unworthy of my human dignity or may be destructive of other people's feelings or of more enduring values; hold me, gracious purifier of my soul, to the reality that comes from being in touch with my real self which is grounded in my relationship with You, who are beyond my senses and seem unreal sometimes but who is Reality itself and the cause of all that is. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-sixth day was approved as corrected.

RESOLUTIONS

Representative Davis (122) offered House Resolution No. 281, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representatives Secrest and Evans offered House Resolution No. 282, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 283, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cooper offered House Resolution No. 284, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lakin offered House Resolution No. 285, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Foster offered House Resolution No. 286, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Klindt offered House Resolution No. 287, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reynolds offered House Resolution No. 288 , which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 289, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Donovan offered House Resolution No. 290 and House Resolution No 291, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Williams (121) and Sallee offered House Resolution No. 292.

Representative Loudon offered House Resolution No. 293 and House Resolution No. 294, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 295 through House Resolution No. 303, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HBs 1094, 1213, 1311 & 1428** and **HB 1148**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1147, 1435, 1050, 1186 & 1108**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

SECOND READING OF HOUSE BILLS

HB 1814 through **HB 1826** were read the second time.

SECOND READING OF SENATE BILLS

SB 488, SCS SB 532, 806 & 633, SB 553, SB 588, SB 658 and **SB 756** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1407 - State Parks, Natural Resources and Mining

HB 1638 - Children, Youth and Families

HB 1663 - Local Government and Related Matters

HB 1670 - Criminal Law

HB 1795 - Criminal Law

PERFECTION OF HOUSE BILLS

HCS HB 1197, relating to family development accounts, was taken up by Representative Gunn.

Representative Patek offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1197, Page 2, Section 2, Line 5, by inserting "**medical expenses,**" after the word "education," on said line; and

further amend said bill, Page 4, Section 3, Line 14, by deleting the word "or" found at the end of said line; and

further amend said bill, Page 4, Section 3, Line 15, by inserting after "automobile" the following:

"**; or**

(7) Amounts paid to an insurer for health care coverage or amounts paid to a hospital, clinic, physician, dentist or other health care provider for treatment."

Representative Gunn raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Patek moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 063

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Crawford Dolan

Elliott Enz Evans Foster Froelker

Gaskill Gaston Gibbons Graham 106 Griesheimer

Gross Hartzler 124 Hegeman Hendrickson Hohulin

Kasten Kelley 47 Klindt Koller Legan

Levin Linton Lograsso Long Loudon

Marble Miller Murphy Naeger Nordwald

Patek Pouche Pryor Purgason Reinhart

Richardson Ridgeway Robirds Sallee Schwab

Scott Secrest Shields Summers Surface

Townley Vogel Wannenmacher

NOES: 092

Backer Barry 100 Bartlett Bauer Bland

Bonner Boucher Bray 84 Campbell Carter

Cooper Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Farnen Fitzwater Foley Franklin

Fritts Gratz Green Gunn Hagan-Harrell

Harlan Hartzler 123 Heckemeyer Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kauffman Kelly 27 Kennedy Kissell

Kreider Lakin Lawson Leake Liese

Luetkenhaus May 108 Mays 50 McBride McClelland

McLuckie Merideth Monaco Murray O'Connor

O'Toole Ostmann Parker Ransdall Relford

Reynolds Rizzo Ross Scheve Schilling

Seigfreid Shear Sheldon 104 Shelton 57 Skaggs

Smith Steen Stokan Stoll Stroker

Thomason 163 Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Auer Clayton Edwards-Pavia Ford Graham 24

Hall Overschmidt

VACANCY: 001

Representative Purgason offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1197, Page 4, Section 3, Line 15, by deleting all of said line and inserting in lieu thereof the following:

"**(6) First-time purchase of an automobile.**".

Representative Purgason moved that House Amendment No. 2 be adopted.

Which motion was defeated.

On motion of Representative Gunn, **HCS HB 1197** was adopted.

On motion of Representative Gunn, **HCS HB 1197** was ordered perfected and printed.

HB 1144, relating to public service commission, was taken up by Representative Mays (50).

On motion of Representative Mays (50), **HB 1144** was ordered perfected and printed.

HB 1160, relating to certificates of authority to transact insurance, was taken up by Representative Treadway.

On motion of Representative Treadway, **HB 1160** was ordered perfected and printed.

HB 1609, relating to St. Louis police compensation, was taken up by Representative Shelton (57).

On motion of Representative Shelton (57), **HB 1609** was ordered perfected and printed.

HB 927, relating to political activity by state employees, was taken up by Representative Hosmer.

Representative Dougherty offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 927, Page 1, In the title, Line 2, by inserting after the figure "1994," the following: "and section 105.473, RSMo Supp. 1997,"; and

Further amend said bill, Page 1, In the title, line 3, by deleting the word "five" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section A, Lines 1 to 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Section 36.150, RSMo 1994, and section 105.473, RSMo Supp. 1997, are repealed and six new sections enacted in lieu thereof, to be known as sections 36.150, 105.155, 105.156, 105.157, 105.158 and 105.473, to read as"; and

Further amend said bill, Page 3, Section 105.158, Line 8, by inserting after all of said line the following:

"105.473. 1. Each lobbyist shall, not later than five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. **A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.**

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist or a legislative lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his **or her** lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; entertainment; honoraria; meals, food and beverages; and gifts;

(b) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his **or her** lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official, such official's staff, employees, spouse or dependent children;

(c) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

a. All members of the senate;

b. All members of the house of representatives;

c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate; or

d. All members of a caucus of the general assembly if the caucus consists of at least ten members, a list of the members of the caucus has been previously filed with the ethics committee of the house or the senate, and such list has been approved by either of such ethics committees;

(d) Any expenditure made on behalf of a public official, or the public official's staff, employees, spouse or dependent children, if such expenditure is solicited by such public official, the public official's staff, employees, or spouse or dependent children, from the lobbyist or his **or her** lobbyist principals and the name of such person or persons;

(e) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official.

The reports required by this paragraph shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself **or herself**. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed **[**under**] pursuant to** the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information required pursuant to this section.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any

member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.".

On motion of Representative Dougherty, House Amendment No. 1 was adopted.

Representative Treadway offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 927, Page 3, Section 105.157, Line 1, by inserting the number "**1.**" after the number "**105.157.**"; and

Further amend said bill, Page 3, Section 105.157, Line 7, by inserting after all of said line the following:

"**2. No printed material in support or in opposition to any legislation pending before the general assembly may be developed or distributed by any officer, employee or agent of the state of Missouri or of any political subdivision of the state. Material that is deemed to be in nature, informational only, may be distributed with the expressed consent of the legislation's sponsor.**".

On motion of Representative Treadway, House Amendment No. 2 was adopted.

Representative Loudon offered House Amendment No. 3.

House Amendment No. 3

AMEND House Bill No. 927, Page 2, Section A, Line 21, by deleting the bracket on said line; and

further amend said bill, Page 2, Section A, Line 26, by deleting the bracket; and

further amend said bill, Page 2, Section A, Line 25, by adding after the word "partisan" the words "political campaign or partisan".

Representative Loudon moved that House Amendment No. 3 be adopted.

Which motion was defeated.

Representative Akin offered House Amendment No. 4.

House Amendment No. 4

AMEND House Bill No. 927, Page 2, Section 105.155, Line 7, by deleting the following: ",except on a voluntary basis

Representative Akin moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 066

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Burton
Champion Chrismer Cierpiot Cooper Crawford
Donovan Elliott Enz Evans Foster
Gaskill Gaston Gibbons Graham 106 Griesheimer
Hartzler 123 Hartzler 124 Hegeman Hendrickson Hohulin
Holand Howerton Kasten Kauffman Kelley 47
Klindt Legan Levin Linton Lograsso
Loudon Marble McClelland Miller Murphy
Nordwald Ostmann Pryor Purgason Reinhart
Richardson Ridgeway Robirds Ross Sallee
Schwab Scott Secrest Shields Steen
Summers Surface Townley Vogel Wannenmacher
Wooten

NOES: 082

Backer Barry 100 Bartlett Bauer Bland
Bonner Boucher Bray 84 Campbell Carter
Copeland Crump Daniel 42 Davis 122 Davis 63
Days DeMarce Dougherty Farnen Fitzwater
Foley Franklin Fritts Gratz Green
Gunn Hagan-Harrell Harlan Heckemeyer Hickey
Hilgemann Hollingsworth Hoppe Hosmer Johnson
Kelly 27 Kennedy Kissell Koller Kreider
Lakin Leake Liese Luetkenhaus May 108
Mays 50 McBride McLuckie Merideth Monaco
Murray Naeger O'Connor O'Toole Overschmidt
Parker Patek Pouche Ransdall Relford
Reynolds Rizzo Scheve Schilling Seigfreid
Shear Sheldon 104 Shelton 57 Skaggs Smith
Stokan Stoll Stroker Thomason 163 Thompson 72
Treadway Troupe Van Zandt Williams 121 Williams 159
Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 014

Auer Clayton Daniels 41 Dolan Edwards-Pavia

Ford Froelker Graham 24 Gross Hall

Lawson Long Thompson 37 Wiggins

VACANCY: 001

On motion of Representative Hosmer, **HB 927, as amended,** was ordered perfected and printed.

HCS HB 1315, relating to cancer screening, was taken up by Representative Dougherty.

Representative Liese offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1315, Pages 1 and 2, Section 1, Lines 18 to 21, by striking all of said lines and inserting in lieu thereof the following:

"**Coverage for such services shall be subject to the same deductible, coinsurance or copayment provisions and all other terms and conditions applicable to other benefits. Nothing in this act shall apply to accident-only, hospital**".

Representative Liese moved that House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Dougherty, **HCS HB 1315** was adopted.

On motion of Representative Dougherty, **HCS HB 1315** was ordered perfected and printed.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 52, introduced by Representative Bray, relating to highways and transportation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1827, introduced by Representative Van Zandt, relating to government contracts for the examination of taxpayers' records.

HB 1828, introduced by Representative Levin, et al, relating to certain business practices.

HB 1829, introduced by Representative Levin, et al, relating to open meetings of certain political subdivisions.

HB 1830, introduced by Representative Levin, et al, relating to charter cities.

HB 1831, introduced by Representative Levin, relating to campaign finance.

HB 1832, introduced by Representatives Ostmann and Luetkenhaus, relating to passing bad checks.

HB 1833, introduced by Representatives Klindt, Hegeman and Relford, relating to jails and jailers.

HB 1834, introduced by Representative Stoll, relating to the twenty-third judicial circuit.

HB 1835, introduced by Representatives Kennedy, Barry and Bray, et al, relating to the sales tax rate on certain food items.

HB 1836, introduced by Representative Dougherty, relating to child support.

HB 1837, introduced by Representative Hollingsworth, relating to property tax assessments.

WITHDRAWAL OF HOUSE BILLS

February 19, 1998

Joan Branson, Assistant Chief Clerk

House of Representatives

Missouri State Capitol

Jefferson City, MO 65101

Dear Joan,

I am writing to request that **HJR 50**, relating to the Department of Transportation, be withdrawn.

Thank you.

Sincerely,

/s/ Joan Bray

February 19, 1998

The Honorable Steve Gaw

Speaker of the House

State Capitol Building

Room 308

Jefferson City, MO 65101

Dear Speaker:

I am writing this letter to respectfully ask that you withdraw **HB 1573** which I have sponsored. Thank you for your consideration.

Sincerely,

/s/ Ralph A. Monaco

Representative

District 49

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, February 24, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-Sixth Day, Thursday, February 19, 1998, Page 302, by deleting lines 12 through 15, and inserting in lieu thereof the following:

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1168 & 1108, Page 1, In the Title, Line 5 of said page, by inserting immediately after the number "195.197," the number "195.214,"; and

Further amend said bill, Page 1, In the Title, Line 7 of said page, by deleting the word "twenty-five" and inserting in lieu thereof the word "twenty-six"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by inserting immediately after the number "195.197," the number "195.214,"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "five" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section A, Line 18 of said page, by inserting immediately after the number "195.197," the number "195.214,"; and

Further amend said bill, Page 32, Section 195.197, Line 9 of said page, by inserting after all of said line the following:

"195.214. 1. A person commits the offense of distribution of a controlled substance near schools if such person violates section 195.211 by unlawfully distributing or delivering any controlled substance to a person in or on, or within two thousand feet of, the real property comprising a public or private elementary or secondary school, public vocational school, **child care facility licensed pursuant to section 210.211, RSMo,** or a public or private junior college, college or university or on any school bus.

2. Distribution of a controlled substance near schools is a class A felony.".

Page 300, roll call, by showing Representative Fitzwater voting "aye" rather than "absent with leave".

Page 301, roll call, by showing Representative Broach voting "aye" rather than "no".

Pages 315 and 316, roll call, by showing Representatives Levin and Surface voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 25, 1998, 3:00 pm. Hearing Room 9.

Executive session may or may not follow.

To be considered - HB 1704, HB 1735

BUDGET

Tuesday, February 24, 1998, 8:30 am. Hearing Room 9. AMENDED

To be considered - HB 1005, HB 1002, HB 1003, HB 1008

BUDGET

Tuesday, February 24, 1998, 2:00 pm. Hearing Room 9. AMENDED

To be considered - HB 1012, HB 1002, HB 1003, HB 1008

BUDGET

Wednesday, February 25, 1998, 8:30 am. Hearing Room 9.

To be considered - HB 1003, HB 1008, HB 1012, HB 1006

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 25, 1998, 7:30 pm. Hearing Room 8.

To be considered - HB 1725, HB 1752, HB 1774

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 25, 1998, 3:00 pm. Hearing Room 1 and 2. AMENDED #2

To be considered - HB 1571, HB 1581, HB 1653, HB 1744, HB 1760,

Executive Session - HB 1065, Executive Session - HB 1180, Executive Session -

HB 1121, Executive Session - HB 966, Executive Session - HB 986, Executive

Session - HB 987, Executive Session - HB 1066, Executive Session - HB 1145,

Executive Session - HB 1216, Executive Session - HB 967, Executive Session - HB 1528

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 24, 1998, 2:00 pm. Hearing Room 8. Executive session may follow.

To be considered - HB 1505, HB 1605, HB 1747

CRIMINAL LAW

Tuesday, February 24, 1998. House Chamber upon adjournment. Executive session.

CRIMINAL LAW

Wednesday, February 25, 1998, 8:00 pm. Hearing Room 9. Executive session may follow. AMENDED

To be considered - HJR 33, HJR 26, HB 1357, HB 937, HB 1441, HB 1775, HB 1566, HB 1795

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 24, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1632, HB 1619, HB 1771, Executive Session - HB 968,

Executive Session - HB 1088, Executive Session - HB 1683, Executive Session - HB 1110, Executive Session - HB 1265

EDUCATION - HIGHER

Wednesday, February 25, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1545, HB 1459, HB 1448, HB 1731, Executive Session - HB 1588,

Executive Session - HB 1222

ELECTIONS

Tuesday, February 24, 1998, 7:30 pm. Hearing Room 8.

To be considered - HB 1642, HB 1446, HJR 47

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 25, 1998, 8:30 am. Hearing Room 8. Possible executive session.

To be considered - HB 1657, HB 1724

INSURANCE

Tuesday, February 24, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1175, Executive Session - HB 1316, Executive Session - HB 1565,

Executive Session - HB 1198, Executive Session - HB 1374

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS

Wednesday, February 25, 1998, 1:30 pm. Hearing Room 8. Expiring leases FY99.

To be considered - HB 1013

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Thursday, February 26, 1998, 8:30 am. Hearing Room 5.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, February 24, 1998, 8:30 am. Hearing Room 7.

Presentation of Oversight reports and other business.

JUDICIARY

Tuesday, February 24, 1998, 3:00 pm. Hearing Room 5. Executive session will follow.

To be considered - HB 1665, HB 1737, HB 990, HB 1369

LABOR

Tuesday, February 24, 1998, 8:00 pm. Hearing Room 6.

To be considered - HB 1634, HB 1748, Executive Session - HB 1139

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 24, 1998, 3:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - HB 1492, HB 1559, HB 1586, HB 1593, HB 1594, HB 1622,

HB 1630, HB 1734, HB 1636, HB 1705

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 25, 1998, 9:00 am. Hearing Room 6.

To be considered - HR 213, HR 130, HJR 49, HB 1713, HB 1533, Executive Session - HB 1073

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 24, 1998, 3:00 pm. Hearing Room 7. Executive session to follow.

To be considered - HB 1518, HB 1170, HB 1192, HB 1246, HB 1696, HB 1466, HB 1710, HB 1493

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 25, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 1597, HB 1686, HB 1720, HB 1762, HB 1769, HB 1753

PUBLIC HEALTH AND SAFETY

Tuesday, February 24, 1998, 3:00 pm. Hearing Room 9. Executive session may follow.

To be considered - HB 1302, HB 1419, HB 1629, HB 1584

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, February 24, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 1560, HB 1684, HB 1337, Executive Session - HB 1537

SUB-COMMITTEE OF PROFESSIONAL REGISTRATION

Tuesday, February 24, 1998, 8:30 am. Hearing Room 5. Accessibility of

Missouri consumers to records of medical professionals.

TRANSPORTATION

Wednesday, February 25, 1998, 1:00 pm. Hearing Room 5. Executive session to follow.

To be considered - HB 1224, HB 1680, HB 1701

WAYS AND MEANS

Tuesday, February 24, 1998, 3:00 pm. Hearing Room 6.

AMENDED.NO EXECUTIVE SESSION.

To be considered - HB 1279, HB 1248, HB 1530, HB 1529, HB 1461, HB 1331,

HB 1471, HB 1502, HB 1557, HB 1666, HB 1522, HB 1661, HB 1413

WAYS AND MEANS

Thursday, February 26, 1998, 8:00 am. Hearing Room 1 and 2. Executive session.

HOUSE CALENDAR

Twenty-eighth Day, Tuesday, February 24, 1998

HOUSE BILLS FOR SECOND READING

HB 1827 through HB 1837

HOUSE BILLS FOR PERFECTION

HCS HB 957 & 1063 - Hoppe

HCS HB 1412 - Harlan

HCS HB 1525, 1269 & 1430 - McBride

HCS HB 1273, 943 & 1217 - Days

HCS HB 1195 - May (108)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

HOUSE BILLS FOR THIRD READING

HCS HB 1469, (Budget Fiscal 2-16-98) - Relford

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1519 & 1165, (Budget Fiscal 2-19-98) - Boucher

HCS HB 1094, 1213, 1311 & 1428, (Budget Fiscal 2-19-98) - Treadway

HB 1148 - Rizzo

HS HCS HB 1147, 1435, 1050, 1186 & 1108 - Hosmer


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House Journal

Second Regular Session, 89th General Assembly

TWENTY-NINTH DAY, Wednesday, February 25, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

O Gracious One, in this season observed as holy by many, remind us that each day is holy as we are blessed in awakening to Your world. Let us always be mindful of the failings and sins that plague our human condition. Let us also be thankful for Your grace and forgiveness.

Today we are conscious as well, of the loss of life and property of our brothers and sisters in Florida. Be present to those who have suffered the devastating effects of tornados, floods and other natural disasters. Help them and reassure them of Your presence even in the midst of such loss.

Bless those in this House that they may feel Your guidance; that they may be inspired with wisdom and vision so that they may complete the tasks at hand with success, justice and righteousness.

O God, Sovereign of the universe, receive our prayers and hear us in Your infinite compassion. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Page for the Day, to serve without compensation: Brian Heuring

The Journal of the twenty-eighth day was approved as corrected.

RESOLUTIONS

Representative Backer offered House Resolution No. 308, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Carter offered House Resolution No. 309.

Representative Klindt offered House Resolution No. 310, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Foster offered House Resolution No. 311, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Merideth and Boucher offered House Resolution No. 312, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boatright offered House Resolution No. 313, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Donovan offered House Resolution No. 314, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 315, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 316, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gibbons and Linton offered House Resolution No. 317, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Skaggs offered House Resolution Nos. 318 through 320, which were referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1838 through **HB 1841** were read the second time.

SECOND READING OF SENATE BILLS

SB 526 and **SB 680** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1412, with HSA 1 for HA 1, HA 1 and HS pending, relating to health plans for small employers, was again taken up by Representative Harlan.

Representative Shields moved that House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Foley, House Amendment No. 1 was adopted.

Representative Naeger offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, in the title thereof, by deleting all of said title and inserting in lieu thereof the following:

"An act to repeal sections 103.005 and 103.036, RSMo 1994, and section 103.003 and 103.008, RSMo Supp. 1997, relating to health plans for state employees, and to enact in lieu thereof five new sections relating to the same subject, with an effective date."

Further amend said bill, section A, by deleting all of said section and inserting in lieu thereof the following:

"Section A. Section 103.005 and 103.036, RSMo 1994, and sections 103.003 and 103.008, RSMo Supp. 1997, are repealed and five new sections enacted in lieu thereof, to be known as sections 103.003, 103.005, 103.008, 103.036, and 103.080, to read as follows:"

Further amend said bill, page 6, section 103.008, line 3, by inserting immediately after said section and line the following:

"103.008.1. The general administration and the responsibility for the proper operation of the plan is vested in a board of trustees of [eleven] **twelve** persons, as follows: the director of the department of health, the director of the department of insurance, the commissioner of the state office of administration serving ex officio, one member of the senate appointed by the president pro tem of the senate, one member of the house of representatives appointed by the speaker of the house of representatives, and six members appointed by the governor with the advice and consent of the senate. Of the [six] **seven** members appointed by the governor, three shall be citizens of the state of Missouri, who are not members of the plan [,] but who are familiar with medical issues, [. The remaining] three members shall be members of the plan and may be selected from any state agency or any participating member agency**, and one member shall be a member of the plan who shall be selected from any participating small employer.**

2. Except for the legislative members, the director of the department of health, the director of the department of insurance, and the commissioner of the office of administration, trustees shall be chosen for terms of four years from the first day of January next following their election or appointment. Any vacancies occurring in the office of trustee shall be filled in the same manner the office was filled previously."

Representative Elliott offered House Substitute Amendment No. 1 for House Amendment

No. 2

.

House Substitute Amendment No. 1

for

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, in the title thereof, by deleting all of said title and inserting in lieu thereof the following:

"An act to repeal sections 103.005 and 103.036, RSMo 1994, and section 103.003 and 103.008, RSMo Supp. 1997, relating to health plans for state employees, and to enact in lieu thereof five new sections relating to the same subject, with an effective date."

Further amend said bill, section A, by deleting all of said section and inserting in lieu thereof the following:

"Section A. Section 103.005 and 103.036, RSMo 1994, and sections 103.003 and 103.008, RSMo Supp. 1997, are repealed and five new sections enacted in lieu thereof, to be known as sections 103.003, 103.005, 103.008, 103.036, and 103.080, to read as follows:"

Further amend said bill, page 6, section 103.008, line 3, by inserting immediately after said section and line the following:

"103.008.1. The general administration and the responsibility for the proper operation of the plan is vested in a board of trustees of eleven persons, as follows: the director of the department of health, [the director of the department of insurance,] the commissioner of the state office of administration serving ex officio, one member of the senate appointed by the president pro tem of the senate, one member of the house of representatives appointed by the speaker of the house of representatives, and six members appointed by the governor with the advice and consent of the senate. Of the six **seven** members appointed by the governor, three shall be citizens of the state of Missouri, who are not members of the plan, but who are familiar with medical issues, . The remaining three members shall be members of the plan and may be selected from any state agency or any participating member agency**, and one member shall be a member of the plan who shall be selected from any participating small employer.**

2. Except for the legislative members, the director of the department of health, the director of the department of insurance, and the commissioner of the office of administration, trustees shall be chosen for terms of four

years from the first day of January next following their election or appointment. Any vacancies occurring in the office of trustee shall be filled in the same manner the office was filled previously."

Representative Harlan raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 2 is not a true substitute amendment.

The Chair ruled the point of order not well taken.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Elliott offered House Substitute Amendment No. 1 for House Amendment

No. 2.

House Substitute Amendment No. 1

for

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, in the title thereof, by deleting all of said title and inserting in lieu thereof the following:

"An act to repeal sections 103.005 and 103.036, RSMo 1994, and section 103.003 and 103.008, RSMo Supp. 1997, relating to health plans for state employees, and to enact in lieu thereof five new sections relating to the same subject, with an effective date."

Further amend said bill, section A, by deleting all of said section and inserting in lieu thereof the following:

"Section A. Section 103.005 and 103.036, RSMo 1994, and sections 103.003 and 103.008, RSMo Supp. 1997, are repealed and five new sections enacted in lieu thereof, to be known as sections 103.003, 103.005, 103.008, 103.036, and 103.080, to read as follows:"

Further amend said bill, page 6, section 103.008, line 3, by inserting immediately after said section and line the following:

"103.008.1. The general administration and the responsibility for the proper operation of the plan is vested in a board of trustees of eleven persons, as follows: the director of the department of health, [the director of the department of insurance,] the commissioner of the state office of administration serving ex officio, one member of the senate appointed by the president pro tem of the senate, one member of the house of representatives appointed by the speaker of the house of representatives, and six members appointed by the governor with the advice and consent of the senate. Of the six members appointed by the governor, three shall be citizens of the state of Missouri, who are not members of the plan, but who are familiar with medical issues. The remaining three members shall be members of the plan and may be selected from any state agency or any participating member agency**, and one member shall be a member of the plan who shall be selected from any participating small employer.**

2. Except for the legislative members, the director of the department of health, [the director of the department of insurance,] and the commissioner of the office of administration, trustees shall be chosen for terms of four years from the first day of January next following their election or appointment. Any vacancies occurring in the office of trustee shall be filled in the same manner the office was filled previously."

Representative Elliott moved that House Substitute Amendment No. 1 for House Amendment No. 2 be adopted.

Which motion was defeated.

On motion of Representative Naeger, House Amendment No. 2 was adopted.

Representative Levin offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Section 103.080.7, by deleting said lines and inserting in lieu thereof the following:

7. Small employers participating in the separate benefit trust account may, in accordance with the procedures of either subdivision of this subsection, form a health plan separate from the Missouri consolidated health care plan (MCHCP), such separate plan to be established and maintained as a not for profit corporation for the mutual benefit of the participating small employers, with the same authority to operate such separate plan as the board has over the MCHCP, provided however that such not for profit corporation shall not be considered an agency or political subdivision of the state and shall not have authority to directly insure or self-insure. The procedures to form such separate plan shall be in accordance with either of the following subdivisions:

(1) If the number of persons whose coverage is provided through the separate benefit trust fund account for small employers on January first of any year equals or exceeds the number of persons who coverage is provided directly or indirectly through the state or participating member agencies on August 18, 1998, the board shall schedule a vote of the participating small employers. The board may determine the time and manner of such vote, but the board shall begin such vote no sooner than upon thirty days' notice to the participating small employers and conclude such vote no later than the end of the year such January first occurs. The vote shall be held on the question of whether such small employers shall discontinue participating in the plan and instead form a plan of their own, separate in all respects from the Missouri consolidated health care plan (MCHCP). If a majority of the whole number of such small employers vote in the affirmative, then the next calendar and plan year shall be considered a transition year. During the transition year, the MCHCP shall hold a vote of the participating small employers for the initial board of directors of such separate plan and thereafter, together with such initial board, shall make all arrangements necessary and proper for the transfer to such separate plan of all rights, duties, privileges, authority, assets, liabilities, surplus, books, records and accounts formerly possessed by the board with respect to participating small employers. After such transition year, such small employers shall then maintain such separate plan.

(2) Upon the petition of the majority of the whole number of participating small employers during any one plan year, then the next calendar and plan year shall be considered a transition year. During the transition year, the MCHCP shall hold a vote of the participating small employers for the initial board of directors of such separate plan and thereafter, together with such initial board, shall make all arrangements necessary and proper for the transfer to such separate plan of all rights, duties, privileges, authority, assets, liabilities, surplus, books, records and accounts formerly possessed by the board with respect to participating small employers. After such transition year, such small employers shall then maintain such separate plan.

On motion of Representative Levin, House Amendment No. 3 was adopted.

HCS HB 1412, with HS, as amended, pending, was laid over.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 157

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bonner Dougherty Edwards-Pavia Gunn Shear

VACANCY: 001

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1663 - Governmental Organization and Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1811 - Retirement

HB 1812 - State Parks, Natural Resources and Mining

HB 1813 - Judiciary

HB 1814 - Criminal Law

HB 1815 - Children, Youth and Families

HB 1816 - Ways and Means

HB 1817 - Education - Elementary and Secondary

HB 1818 - Ways and Means

HB 1819 - Ways and Means

HB 1820 - Judiciary

HB 1821 - Ways and Means

HB 1823 - Municipal Corporations

HB 1825 - Motor Vehicle and Traffic Regulations

HB 1826 - Judiciary

COMMITTEE REPORTS

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution No. 258** through **House Resolution No. 291,** and **House Resolution No. 293** through **House Resolution No. 307**, begs leave to report it has examined the same and recommends that they **Do Pass**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1040, HB 1554, HB 1252, HB 1286** and **HB 979**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1198**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1636**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Motor Vehicle and Traffic Regulations, Chairman Thomason (163) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1317**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1618** and **HB 953**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 1070**, begs leave to report it has examined the same and recommends that it **Do Pass.**

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 536**, entitled:

An act to repeal section 320.151, RSMo 1994, relating to regulation of fireworks, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 652**, entitled:

An act to repeal section 137.290, RSMo 1994, relating to county tax books, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 53, introduced by Representatives Backer, Kreider and Days, relating to the state auditor.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1842, introduced by Representative Van Zandt, relating to payment of license taxes.

HB 1843, introduced by Representatives Bland and Thompson (37), relating to user fees collected by the county recorder of deeds.

HB 1844, introduced by Representatives Bland and Thompson (37), relating to the Missouri housing development commission.

HB 1845, introduced by Representative Lakin, relating to moneys received form any tobacco settlement lawsuit.

HB 1846, introduced by Representatives Days, McLuckie, Bland, Fitzwater, Relford and Bray, relating to materials and subjects of instruction.

HB 1847, introduced by Representative Kreider, relating to fire protection district audits.

HB 1848, introduced by Representative Burton, relating to electric utility companies.

HB 1849, introduced by Representative Froelker, relating to income taxation.

HB 1850, introduced by Representative Patek, relating to certain emergency personnel.

HB 1851, introduced by Representative Patek, relating to administrative rules.

HB 1852, introduced by Representatives May (108), Monaco and O'Toole, relating to public assistance.

HB 1853, introduced by Representative Summers, relating to public water supply district elections.

The following member's presence was noted: Bonner

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, February 26, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-Eighth Day, Tuesday, February 24, 1998, page 351, line 24, by inserting after said line the following: "The following member's presence was noted: Wiggins".

Page 349, by deleting lines 2 through 12, and inserting in lieu thereof the following **corrected committee report**:

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 1694**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1694, Page 3, Section 3, Lines 7 and 8, by deleting all of said lines and inserting in lieu thereof the following: "**and labor groups. The board shall also consult with other private and public agencies and individuals with expertise related to labor markets, geographic and demographic analysis, and solicit input from interested parties throughout the state, in order to insure that (a) the diverse needs of the state are considered; and (b) that these designations reflect the broad, long-term economic, educational, and public policy interests of the state in both the public and private sectors.**".

Pages 346 and 347, roll call, by showing Representatives Hohulin and Williams (121) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Thursday, February 26, 1998, 8:30 am. Hearing Room 9.

To be considered - HB 1008, HB 1012, HB 1006, HB 1007

BUDGET

Thursday, February 26, 1998. Hearing Room 9 upon adjournment.

To be considered - HB 1008, HB 1012, HB 1009, HB 1011, HB 1006

BUDGET

Monday, March 2, 1998, 10:00 am. Hearing Room 9.

To be considered - HB 1012, HB 1009, HB 1011, HB 1006, HB 1007

BUDGET

Monday, March 2, 1998, 2:00 pm. Hearing Room 9. Executive session. Fiscal Note.

To be considered - HB 1519, HB 1147

ENVIRONMENT AND ENERGY

Thursday, February 26, 1998, 8:30 am. Hearing Room 6.

To be considered - HB 1243, HB 1759

ETHICS

Thursday, February 26, 1998. Northeast side gallery immediately upon adjournment.

Approval Bootheel caucus, addition to Demo, Black.Freshman caucus.

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Thursday, February 26, 1998, 8:30 am. Hearing Room 5.

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Thursday, February 26, 1998, 9:45 am. Side gallery. CANCELLED

To be considered - Executive Session - HB 1537

UTILITIES REGULATION

Thursday, February 26, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1677, HB 1706

WAYS AND MEANS

Thursday, February 26, 1998, 8:00 am. Hearing Room 1 and 2. Executive session.

HOUSE CALENDAR

Thirtieth Day, Thursday, February 26, 1998

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 53

HOUSE BILLS FOR SECOND READING

HB 1842 through HB 1853

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 39 - Scheve

HOUSE BILLS FOR PERFECTION

HCS HB 1412, HS as amended, pending - Harlan

HCS HB 1525, 1269 & 1430 - McBride

HCS HB 1273, 943 & 1217 - Days

HCS HB 1195 - May (108)

HCS HB 1601,1591,1592,1479 & 1615 - Treadway

HCS HB 1363 & 906 - Farnen

HCS HB 1095 - Smith

HB 1091 - Rizzo

HB 1240 - Parker

HCS HB 1323 - Green

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

HOUSE BILLS FOR THIRD READING

HCS HB 1469, (Budget Fiscal 2-16-98) - Relford

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1519 & 1165, (Budget Fiscal 2-19-98) - Boucher

HCS HB 1094, 1213, 1311 & 1428, (Budget Fiscal 2-19-98) - Treadway

HB 1148 - Rizzo

HS HCS HB 1147, 1435, 1050, 1186 & 1108, (Budget Fiscal 2-24-98) - Hosmer

HCS HB 1197, (Budget Fiscal 2-24-98) - Gunn

HB 1144 - Mays (50)

HB 1160 - Treadway

HB 1609, E.C. - Shelton (57)

HB 927 - Hosmer

HCS HB 1315, (Budget Fiscal 2-24-98) - Dougherty

HCS HB 957 & 1063 - Hoppe

SENATE BILLS FOR SECOND READING

SCS SB 652

SCS SB 536

COURTESY RESOLUTIONS

HR 258, through HR 264 - Lawson

HR 265 - Townley

HR 266 - Smith

HR 267 - Stoll

HR 268 - Vogel

HR 269 - Skaggs

HR 270, and HR 271 - Gross

HR 272 - Hartzler (124)

HR 273 - Bartelsmeyer

HR 274 - May (108)

HR 275 - Gaw

HR 276 - Boucher

HR 277 - Boatright

HR 278 - Surface

HR 279 - Gratz

HR 280 - Monaco

HR 281 - Davis (122)

HR 282 - Secrest

HR 283 - Relford

HR 284 - Cooper

HR 285 - Lakin

HR 286 - Foster

HR 287 - Klindt

HR 288 - Reynolds

HR 289 - Howerton

HR 290, and HR 291 - Donovan

HR 293, and HR 294 - Loudon

HR 295, through HR 303 - Boucher

HR 304 - Rizzo

HR 305 - Hollingsworth

HR 306 - Relford

HR 307 - Hendrickson


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House Journal

Second Regular Session, 89th General Assembly

THIRTIETH DAY, Thursday, February 26, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Lord, in these few moments of stillness, You call us to prayer and You offer Yourself to all who seek You. Even as the cold weather again encroaches on the premature warmth of the last few days, we ask You to deliver us from coldness of heart, from wandering minds, and from misdirected intentions. By Your power place within us a steadfast love and devotion for all Your people, and help what we do here be meaningful and worthwhile.

God, in this time of reflection, forgive us the hatred that divides nation from nation, race from race and class from class; forgive us our indifference to the plight of the homeless and the refugee; forgive us the pride which leads us to trust in ourselves and not in You.* Deliver us from evil, and bring us to a healthy and wiser relationship with You and with our brothers and sisters. Hear our prayers; guide our ways; and direct our actions, O God who is above and below and in all. Amen.

*Portions adapted from a prayer found at the altar of Coventry Cathedral.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Matt Frierdich, Audra Phillips, Valerie Kirksey and Matt Zahnweh.

The Journal of the twenty-ninth day was approved as printed.

RESOLUTIONS

Representative Ford offered House Resolution No. 321, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shear offered House Resolution No. 322, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wannenmacher offered House Resolution Nos. 323 and 324, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Harlan offered House Resolution No. 325.

Representative Bartelsmeyer offered House Resolution No. 326, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124)) offered House Resolution No. 327, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Bland, Thompson (37) and Daniels (41) offered House Resolution No. 328, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ridgeway offered House Resolution No. 329, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Carter offered House Concurrent Resolution No. 17.

COURTESY RESOLUTIONS

House Resolution No. 258 through House Resolution No. 291 and House Resolution No. 293 through House Resolution No. 307 were taken up by Representative Backer.

On motion of Representative Backer, House Courtesy Resolution No. 258 through House Resolution No. 291 and House Resolution No. 293 through House Resolution No. 307 were adopted.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 53 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1842 through **HB 1853** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 652 and **SCS SB 536** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HBs 957 & 1063**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HB 1412 with HS as amended, pending, relating to health plans for small employers, was again taken up by Representative Harlan.

Representative Gratz offered House Amendment No. 4.

Representative Harlan raised a point of order that House Amendment No. 4 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Auer offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Page 11, Section 103.080, Line 8, by inserting immediately after line 8 the following:

"9. Contracts issued to health care plans to cover small employers pursuant to this section shall be for a term no greater than one year."

Speaker Gaw assumed the Chair.

Representative Auer moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 076

Akin Alter Auer Ballard Barnett

Bartelsmeyer Bennett Berkstresser Boatright Bonner

Champion Chrismer Cierpiot Cooper Copeland

Crawford Davis 63 Elliott Enz Evans

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Gratz Green Gross Hagan-Harrell

Hall Hartzler 123 Hartzler 124 Hegeman Hendrickson

Hohulin Holand Hoppe Howerton Kasten

Klindt Kreider Legan Levin Liese

Linton Lograsso Long Loudon Marble

Miller Murphy Nordwald Patek Pouche

Pryor Purgason Reinhart Richardson Ridgeway

Rizzo Ross Sallee Schwab Scott

Secrest Sheldon 104 Shields Steen Summers

Surface Thomason 163 Townley Vogel Wannenmacher

Wooten

NOES: 079

Backer Barry 100 Bartlett Bauer Bland

Boucher Bray 84 Campbell Carter Clayton

Crump Daniel 42 Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Farnen Fitzwater
Foley Ford Franklin Fritts Graham 24
Griesheimer Harlan Heckemeyer Hickey Hilgemann
Hollingsworth Hosmer Johnson Kauffman Kelly 27
Kennedy Kissell Koller Lakin Lawson
Leake Luetkenhaus May 108 Mays 50 McBride
McClelland McLuckie Merideth Monaco Murray
Naeger O'Connor O'Toole Ostmann Overschmidt
Parker Ransdall Relford Reynolds Robirds
Scheve Schilling Seigfreid Shelton 57 Skaggs
Smith Stokan Stoll Stroker Thompson 37
Thompson 72 Treadway Troupe Van Zandt Wiggins
Williams 121 Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Broach Burton Dougherty Edwards-Pavia Gunn
Kelley 47 Shear

VACANCY: 001

HCS HB 1412, with HS, as amended, pending, was laid over.

THIRD READING OF HOUSE BILLS

HB 1148, relating to petroleum storage tanks, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HB 1148** was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Burton Dougherty Edwards-Pavia Gunn Kelley 47
Shear

VACANCY: 001

Speaker Gaw declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Bauer moved that the vote by which the bill passed be reconsidered.

Representative DeMarce moved that motion lay on the table.

The latter motion prevailed.

HB 1144, relating to public service commission, was taken up by Representative Mays (50).

On motion of Representative Mays (50), **HB 1144** was read the third time and passed by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hickey Hilgemann
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland Merideth
Miller Monaco Murphy Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Hohulin

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 010

Burton Dougherty Edwards-Pavia Gunn Kelley 47
Linton McLuckie Murray Shear Sheldon 104

VACANCY: 001

Speaker Gaw declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

HB 1160, relating to certificates of authority to transact insurance, was taken up by Representative Treadway.

On motion of Representative Treadway, **HB 1160** was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Burton Dougherty Edwards-Pavia Gunn Kelley 47

Shear Troupe

VACANCY: 001

Speaker Gaw declared the bill passed.

On motion of Representative Clayton, title to the bill was agreed to.

Representative Kennedy moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

HB 1609, relating to St. Louis police compensation, was taken up by Representative Shelton (57).

On motion of Representative Shelton (57), **HB 1609** was read the third time and passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Bonner Boucher

Bray 84 Broach Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker
NOES: 003

Boatright Hohulin Townley

PRESENT: 000

ABSENT WITH LEAVE: 007

Burton Dougherty Edwards-Pavia Fritts Gunn
Kelley 47 Shear

VACANCY: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Bland Bonner Boucher Bray 84
Broach Campbell Carter Champion Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Enz Evans Farnen
Fitzwater Foley Ford Franklin Fritts
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Hagan-Harrell
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hickey
Hilgemann Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelly 27
Kennedy Kissell Koller Kreider Lawson
Leake Legan Levin Liese Linton
Long Loudon Luetkenhaus May 108 Mays 50
McBride McClelland McLuckie Monaco Murphy
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Ransdall Reinhart
Relford Reynolds Rizzo Ross Scheve
Schilling Secrest Seigfreid Sheldon 104 Shelton 57
Shields Smith Stokan Stroker Thomason 163
Thompson 37 Thompson 72 Treadway Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 029

Berkstresser Boatright Chrismer Cierpiot Elliott
Foster Froelker Hall Hegeman Hendrickson
Hohulin Klindt Lograsso Marble Merideth
Miller Patek Pouche Pryor Purgason
Richardson Robirds Sallee Schwab Scott
Steen Summers Surface Townley

PRESENT: 000

ABSENT WITH LEAVE: 010

Burton Dougherty Edwards-Pavia Gunn Kelley 47
Lakin Ridgeway Shear Skaggs Stoll

VACANCY: 001

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Crump moved that the vote by which the bill passed be reconsidered.

Representative Boucher moved that motion lay on the table.

The latter motion prevailed.

HB 927, relating to political activities by state employees, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 927** was read the third time and passed by the following vote:

AYES: 088

Auer Backer Barry 100 Bartlett Bauer
Bland Bonner Boucher Bray 84 Campbell
Carter Clayton Copeland Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Farnen Fitzwater Foley Ford Franklin
Fritts Graham 24 Gratz Green Gross
Hagan-Harrell Harlan Heckemeyer Hendrickson Hickey
Hilgemann Hollingsworth Hoppe Hosmer Johnson
Kelly 27 Kennedy Kissell Koller Kreider
Lakin Lawson Leake Liese Long
Luetkenhaus May 108 Mays 50 McBride McLuckie
Monaco Murray O'Connor O'Toole Overschmidt
Parker Ransdall Relford Reynolds Rizzo
Robirds Scheve Schilling Seigfreid Sheldon 104
Shelton 57 Skaggs Smith Stokan Stoll
Stroker Thomason 163 Thompson 37 Thompson 72 Treadway
Troupe Van Zandt Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 067

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Champion

Chrismer Cierpiot Cooper Crawford Dolan

Donovan Elliott Enz Evans Foster

Froelker Gaskill Gaston Gibbons Graham 106

Griesheimer Hall Hartzler 123 Hartzler 124 Hegeman

Hohulin Holand Howerton Kasten Kauffman

Klindt Legan Levin Linton Lograsso

Loudon Marble McClelland Merideth Miller

Murphy Naeger Nordwald Ostmann Patek

Pouche Pryor Purgason Reinhart Richardson

Ridgeway Ross Sallee Schwab Scott

Secrest Shields Summers Surface Townley

Vogel Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 007

Burton Dougherty Edwards-Pavia Gunn Kelley 47

Shear Steen

VACANCY: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bartlett, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

HCS HB 957 & 1063, relating to brewers and wholesalers of beer, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HCS HB 957 & 1063** was read the third time and passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Smith Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 001

Skaggs

PRESENT: 000

ABSENT WITH LEAVE: 009

Burton Dougherty Edwards-Pavia Gunn Hall

Kelley 47 Ridgeway Shear Steen

VACANCY: 001

Speaker Gaw declared the bill passed.

On motion of Representative Lawson, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Stroker moved that motion lay on the table.

The latter motion prevailed.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1764 - Local Government and Related Matters

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 29 - Critical Issues

COMMITTEE REPORTS

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred **Addition To Mo. Legislative Black Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.470(2)(c)d.**

To: Representative Robert Clayton, Chairman

Judiciary & Ethics Committee

From: Representative Vernon Thompson, Chairman

Missouri Legislative Black Caucus

Date: February 12, 1998

Re: Addendum to the Missouri Legislative Black Caucus Membership

Please add Robert Bartlett, D-60, to the Missouri Legislative Black Caucus Membership.

/s/ Robert Bartlett, D-60

Mr. Speaker: Your Committee on Ethics, to which was referred Bootheel Caucus, begs leave to report it has examined the same and approves it pursuant to 105.470(2)(c)d.

February 17, 1998

TO: Representative Robert Clayton, Chairman, Ethics Committee

FROM: Representative Larry Thomason

RE: Bootheel Caucus

In accordance with Section 105.470(6)4(2) and Cd RSMo 1991, we would like to inform you of the members of the Bootheel Caucus.

Don Koller - 153

Mark Richardson - 154

Bill Foster - 156

Marilyn Williams - 159

Joe Heckemeyer - 160

Gene Copeland - 161

Denny Merideth - 162

Larry Thomason - 163

Mr. Speaker: Your Committee on Ethics, to which was referred Addition To House Democratic Caucus, begs leave to report it has examined the same and approves it pursuant to 105.470(2)(c)d.

DATE: February 10, 1998

TO: Representative Robert Clayton

Chairman, House Committee on Ethics

FROM: Representative Dana L. Murray

Majority Caucus Secretary

RE: Addendum to House Democratic Caucus

In accordance with Section 105.470 (6) 4 (2) and Cd RSMo 1991, we would like to add the following member of the General Assembly as a member of the Missouri House Democratic Caucus:

District Name

60 /s/ Robert Bartlett

Mr. Speaker: Your Committee on Ethics, to which was referred Addition To Freshman Caucus, begs leave to report it has examined the same and approves it pursuant to 105.470(2)(c)d.

February 12, 1998

The Honorable Robert M. Clayton III, Chairman

House Ethics Committee

State Capitol Building

Rm. 114A

Jefferson City, MO 65101

Dear Representative Clayton:

Please add Representative Robert (Bob) Bartlett's name to the list of members of the Freshman Caucus of the Missouri House of Representatives. His signature is enclosed herein.

Thank you for your attention to this matter.

Sincerely,

/s/ Randall H. Relford

Sixth District

/s/ Robert (Bob) Bartlett, District 60

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1127, HB 1399, HB 990 and HB 935, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1526, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred HB 1681 and HB 1342, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred HB 1143, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred HB 1244, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND House Bill No. 1244, Page 1, Section 143.183, Line 2, by inserting immediately after the word "registered" the words: "as a corporation".

Mr. Speaker: Your Committee on Ways and Means, to which was referred HB 1488, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Ways and Means, to which was referred HB 1656, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 689, entitled:

An act to repeal section 210.030, RSMo 1994, relating to blood tests for pregnant women, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 778, entitled:

An act to repeal section 140.730, RSMo 1994, relating to the procedure for collection of personal taxes, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 832, entitled:

An act to repeal section 350.015, RSMo 1994, relating to farm corporations, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1854, introduced by Representative McLuckie, relating to prepaid dental plans.

HB 1855, introduced by Representatives Hosmer, Smith and Gibbons, relating to the regulation of securities.

HB 1856, introduced by Representative Hosmer, relating to taximeter units of measurement.

HB 1857, introduced by Representative Troupe, relating to the department of corrections.

HB 1858, introduced by Representative Levin, relating to scenic byways.

HB 1859, introduced by Representative Thomason (163), relating to boll weevil eradication.

HB 1860, introduced by Representative Naeger, relating to sales taxation.

HB 1861, introduced by Representative Naeger, relating to the practice of pharmacy.

HB 1862, introduced by Representatives Crawford and Pryor, relating to land surveys.

HB 1863, introduced by Representative Patek, relating to livestock.

HB 1864, introduced by Representative Loudon, relating to marriage.

HB 1865, introduced by Representatives Stokan, Bray, Auer, Levin and Gross, relating to real property tax increment allocation redevelopment.

HB 1866, introduced by Representatives Monaco and Hoppe, relating to design-build contracts for political subdivisions.

HB 1867, introduced by Representatives Hartzler (124), Enz and Gaston, et al, relating to the parent power plan.

HB 1868, introduced by Representatives Thompson (37), Patek and Bland, relating to the Liberty Memorial.

HB 1869, introduced by Representatives Wiggins, Leake, Smith and Summers, relating to soil and water conservation districts.

HB 1870, introduced by Representatives Froelker, Griesheimer and Overschmidt, relating to county auditors.

HB 1871, introduced by Representatives Bland, Reynolds and Carter, et al, relating to liquor control.

HB 1872, introduced by Representatives Ridgeway, Howerton, Gaston, Cierpiot, Berkstresser, Summers, Bartelsmeyer and Hohulin, et al, relating to income taxation.

WITHDRAWAL OF HOUSE BILLS

February 25, 1998

Speaker Gaw

House of Representatives, Rm. 308

Dear Mr. Speaker:

I am requesting that HB 1632 be withdrawn. Thanks for your consideration.

Sincerely,

/s/ Steve McLuckie

February 26, 1998

The Honorable Steve Gaw

Speaker of the House

Room 308

Jefferson City, MO 65101

Dear Mr. Speaker:

I hereby withdraw HR 309.

Sincerely,

/s/ Rep. Paula J. Carter

61st District

The following members' presence were noted: Burton, Kelley (47) and Shear.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, March 2, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-eighth Day, Tuesday, February 24, 1998, page 351, by inserting after line 25, the following: "The following member's presence was noted: Wooten"

Page 347 by inserting after line 29 the following:

"SECOND READING OF HOUSE JOINT RESOLUTION

HJR 52 was read the second time."

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, March 4, 1998, 1:00 pm. Hearing Room 6. Executive session.

To be considered - HB 1606, HB 1794

BUDGET

Monday, March 2, 1998, 10:00 am. Hearing Room 9.

To be considered - HB 1012, HB 1009, HB 1011, HB 1006, HB 1007

BUDGET

Monday, March 2, 1998, 2:00 pm. Hearing Room 9. Executive session. Fiscal Note.

To be considered - HB 1519, HB 1147

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 4, 1998. Hearing Room 1 and 2 upon morning adjournment.

To be considered - HB 1156, HB 1284, HB 1653

CONSUMER PROTECTION

Tuesday, March 3, 1998, 8:00 pm. Hearing Room 7.

To be considered - HB 1770, HB 1750, HB 1787, Executive Session - HB 1169,

Executive Session - HB 1259, Executive Session - HB 1132,

Executive Session - HB 1590, Executive Session - HB 1536

CRITICAL ISSUES

Monday, March 2, 1998, 7:30 pm. Hearing Room 6.

To be considered - HB 1741, HB 1124, HJR 29

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, March 3, 1998. Hearing Room 8 upon morning adjournment.

To be considered - HB 892, HB 1320, HB 1595, Executive Session - HB 976,

Executive Session - HB 1771

JUDICIARY

Tuesday, March 3, 1998. Hearing Room 5 upon morning adjournment.

Executive session to follow.

To be considered - HB 1627, HB 1659, HB 1773, HB 1188

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 3, 1998, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - HB 1802, HB 1723, HB 1696, HB 1746, HB 1378, HB 1422, HB 1757

STATE PARKS, NATURAL RESOURCES & MINING

Wednesday, March 4, 1998, 1:00 pm. Hearing Room 3 and 4. Executive session to follow.

To be considered - HB 1407, HB 1812

HOUSE CALENDAR

Thirty-first Day, Monday, March 2, 1998

HOUSE BILLS FOR SECOND READING

HB 1854 through HB 1872

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 39 - Scheve

HOUSE BILLS FOR PERFECTION

HCS HB 1412, HS as amended, pending - Harlan

HCS HB 1525, 1269 & 1430 - McBride

HCS HB 1273, 943 & 1217 - Days

HCS HB 1195 - May (108)

HCS HB 1601,1591,1592,1479 & 1615 - Treadway

HCS HB 1363 & 906 - Farnen

HCS HB 1095 - Smith

HB 1091 - Rizzo

HB 1240 - Parker

HCS HB 1323 - Green

HB 1229 - Copeland

HCS HB 1681 & 1342 - Koller

HCS HB 1455 & 1463 - O'Toole

HB 1694, HCA 1- Gaw

HCS HB 1434 - Thomason (163)

HCS HB 1038 - Carter

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1161 - Wiggins

HOUSE BILLS FOR THIRD READING

HCS HB 1469, (Budget Fiscal 2-16-98) - Relford

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1519 & 1165, (Budget Fiscal 2-19-98) - Boucher

HCS HB 1094, 1213, 1311 & 1428, (Budget Fiscal 2-19-98) - Treadway

HS HCS HB 1147, 1435, 1050, 1186 & 1108, (Budget Fiscal 2-24-98) - Hosmer

HCS HB 1197, (Budget Fiscal 2-24-98) - Gunn

HCS HB 1315, (Budget Fiscal 2-24-98) - Dougherty

SENATE BILLS FOR SECOND READING

SB 689

SB 778

SB 832



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House Journal

Second Regular Session, 89th General Assembly

THIRTY-FIRST DAY, Monday, March 2, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

Since we will be away for spring break, I want to offer an Irish blessing this afternoon. May it cheer our hearts on this wintry day in Missouri. Ireland provided the first Governor of the Spanish Territory in 1762 in what is now Missouri, Allesandro O'Reilly, as a result of the exile of his ancestor, one of Ireland's leaders, from their own nation in 1607 and many went to Spain, Portugal and France. The first State Manual was printed at his own expense by Irish-born Secretary of State, Michael McGrath in 1878 and we just sent Jimmy Kirkpatrick on home to heaven where he is now re-painting all the gold with his bright green. Jimmy always liked Irish blessings.

"May there always be work for your hands to do

May your purse always hold a coin or two

May the sun always shine

On your windowpane

May a rainbow be certain to follow each rain

May the hand of a friend

Always be near you

May God fill your heart

With gladness to cheer you." (Irish Blessings Greenwich House NY).

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Haley Brewster, Kelsey Brewster, Brinks Brewster and Molly Brewster.

The Journal of the thirtieth day was approved as corrected.

RESOLUTIONS

Representatives Kreider and Stoll offered House Resolution No. 330, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kreider offered House Resolution No. 331, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution No. 332, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Davis (122) offered House Resolution No. 333, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Davis (122) offered House Resolution No. 334, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Shields and Lawson offered House Resolution No. 335, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution No. 336, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 337, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Crawford, et al, offered House Concurrent Resolution No. 18.

SECOND READING OF HOUSE BILLS

HB 1854 through **HB 1872** were read the second time.

SECOND READING OF SENATE BILLS

SB 689, SB 778 and **SB 832** were read the second time.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HBs 1147, 1435, 1050, 1186 & 1108 (Fiscal Note)** begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HB 1469 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HBs 1519 & 1165 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HCS HB 1161, relating to public drinking water, was taken up by Representative Wiggins.

Speaker Gaw assumed the Chair.

Representative Wiggins moved that Rule 49(e) be suspended.

Which motion was adopted by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Elliott Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 001

Kelly 27

ABSENT WITH LEAVE: 005

Bennett Edwards-Pavia Enz Hoppe O'Toole

VACANCY: 001

Representative Wiggins offered HS HCS HB 1161.

Representative Richardson offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1161, Page 1, In the Title, Line 6 of said page, by deleting the word "twelve" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 14 of said page, by deleting the word "twelve" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by inserting after the number "640.137," the numbers "644.018, 644.037,"; and

Further amend said bill, Page 23, Section 640.137, Line 20 of said page, by inserting after all of said line the following:

"644.018. In any contested case filed after January 1, 1998, involving surface water in any flood prone area, if any defendant has obtained and fully complied with a permit from a political subdivision which has enacted orders or ordinances as required by the Federal Emergency Management Agency as a prerequisite to participation in the National Flood Insurance Program, and which political subdivision has jurisdiction, pursuant to the zoning laws of this state or the laws and regulations of the Federal Emergency Management Agency, over the area in dispute, then the proper permitting of such project shall be conclusive proof that the project is a reasonable use and meets any reasonable use test imposed by law or by a court.

644.037. Where applicable, under section 404 of the federal Clean Water Act and where the U.S. Army Corps of Engineers has determined that a nationwide permit may be utilized, the department shall certify without conditions such nationwide permit as it applies to impacts on wetlands in this state.".

On motion of Representative Richardson, House Amendment No. 1 was adopted.

Representative Howerton offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1161, Page 1, In the title, Line 6 of said page, by deleting the word "twelve" and inserting in lieu thereof the word "thirteen"; and

Further amend said bill, Page 1, Section A, Line 14 of said page, by deleting the word "twelve" and inserting in lieu thereof the word "thirteen"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by inserting after the word "sections" the following: "640.035,"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by inserting after all of said line the following:

"640.035. For any program relating to environmental control and the conservation and management of natural resources assigned to the department of natural resources or any division thereof, if the department maintains records of site inspections and violations of statutes, rules, or the terms or conditions of any permit by any entity subject to regulation by such program, the department shall also maintain records of compliance with such statutes, rules, or terms or conditions of any permit, and shall specifically record in such records any actions taken by the entity subject to regulation by the program that are above and beyond what is minimally required for compliance.".

On motion of Representative Howerton, House Amendment No. 2 was adopted.

On motion of Representative Wiggins, HS HCS HB 1161, as amended, was adopted.

On motion of Representative Wiggins, HS HCS HB 1161, as amended, was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HCS HBs 1525, 1269 & 1430, relating to Department of Conservation, was taken up by Representative McBride.

Representative Koller offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bills Nos. 1525, 1269 & 1430, Page 1, Section 252.228, Line 14, by adding after the word "released," the following:

"Notwithstanding any other provision of law to the contrary, any person who has a purpose to disseminate to the public a newspaper, book, magazine, broadcast or other similar form of public communication, including dissemination by computer or other electronic means, may request the department of conservation to provide individual or bulk hunting, fishing and trapping permit records. Upon receipt of such request, the department shall release the requested permit records."

Representative McBride offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Committee Substitute for House Bills Nos. 1525, 1269 and 1430, Page 1, Section 252.228, Lines 13 and 14, by deleting the words:

"unless the holder of the permit has indicated in writing that the information may be released";

and inserting in lieu thereof the following:

"when the holder of the permit has so requested in writing".

On motion of Representative McBride, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted.

Representative Hohulin offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bills Nos. 1525, 1269 & 1430, Page 1, Section 252.228, Line 10, by deleting lines 10 and 11, of said section and re-numbering accordingly.

Representative Hohulin moved that House Amendment No. 2 be adopted.

Which motion was defeated.

On motion of Representative McBride, HCS HBs 1525, 1269 & 1430, as amended, was adopted.

On motion of Representative McBride, HCS HBs 1525, 1269 & 1430, as amended, was ordered perfected and printed.

HCS HBs 1273, 943 & 1217, relating to elections, was taken up by Representative Days.

On motion of Representative Days, HCS HBs 1273, 943 & 1217 was adopted.

On motion of Representative Days, HCS HBs 1273, 943 & 1217 was ordered perfected and printed.

HCS HBs 1363 & 906, relating to governing bodies of public colleges and universities, was taken up by Representative Farnen.

On motion of Representative Farnen, HCS HBs 1363 & 906 was adopted.

On motion of Representative Farnen, HCS HBs 1363 & 906 was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 39, with House Committee Amendment No. 1, relating to gaming, was taken up by Representative Scheve.

On motion of Representative Scheve, House Committee Amendment No. 1 was adopted.

On motion of Representative Scheve, HJR 39, as amended, was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HB 1091, relating to Kansas City police salaries, was taken up by Representative Rizzo.

On motion of Representative Rizzo, HB 1091 was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HCS HBs 1519 & 1165, relating to national guard, veterans, and gaming commission, was taken up by Representative Boucher.

On motion of Representative Boucher, HCS HBs 1519 & 1165 was read the third time and passed by the following vote:

AYES: 091

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Broach Campbell

Carter Clayton Copeland Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Farnen Fitzwater

Foley Franklin Fritts Graham 24 Gratz

Green Gunn Hagan-Harrell Harlan Hartzler 123

Heckemeyer Hendrickson Hickey Hilgemann Hollingsworth

Hosmer Johnson Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Liese Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Merideth Monaco Murray

Ostmann Overschmidt Parker Ransdall Reinhart

Relford Reynolds Rizzo Ross Scheve

Schilling Seigfreid Shear Shelton 57 Skaggs

Smith Stokan Stoll Stroker Thomason 163

Thompson 37 Thompson 72 Treadway Van Zandt Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 062

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Burton Champion

Chrismer Cierpiot Cooper Crawford Elliott

Evans Ford Foster Gaskill Gaston

Gibbons Graham 106 Griesheimer Gross Hall

Hartzler 124 Hegeman Hohulin Holand Howerton

Kasten Kauffman Kelley 47 Klindt Legan

Levin Linton Lograsso Loudon Marble

Miller Murphy Naeger Nordwald Patek

Pouche Pryor Purgason Richardson Ridgeway

Robirds Sallee Schwab Scott Secrest

Sheldon 104 Shields Steen Summers Surface

Townley Vogel

PRESENT: 002

Bonner Long

ABSENT WITH LEAVE: 007

Edwards-Pavia Enz Froelker Hoppe O'Connor

O'Toole Troupe

VACANCY: 001

Speaker Gaw declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution were read the first time and copies ordered printed:

HJR 54, introduced by Representative Long, et al, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1873, introduced by Representatives Riback Wilson, Hollingsworth, Relford, Hilgemann, Parker, Daniel (42), Ford, et al, relating to the development of microenterprise programs.

HB 1874, introduced by Representative Barry, relating to hearing screening tests for children.

HB 1875, introduced by Representative Patek, relating to postdesegregation education reform.

HB 1876, introduced by Representatives Leake, Wiggins and Williams (159), relating to funds in the commodity merchandising program.

HB 1877, introduced by Representative Hollingsworth, relating to the statute of limitations for a medical malpractice cause of action.

HB 1878, introduced by Representatives Hosmer, Smith and May (108), relating to property theft.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 252 - Miscellaneous Bills and Resolutions

HR 292 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 13 - Transportation

HCR 14 - Critical Issues

HCR 15 - Ways and Means

HCR 16 - Judiciary

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 52 - Transportation

HJR 53 - Governmental Organization and Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1827 - Ways and Means

HB 1828 - Critical Issues

HB 1829 - Local Government and Related Matters

HB 1830 - Municipal Corporations

HB 1831 - Elections

HB 1832 - Criminal Law

HB 1833 - Correctional and State Institutions

HB 1834 - Judiciary

HB 1835 - Ways and Means

HB 1836 - Children, Youth and Families

HB 1837 - Ways and Means

HB 1838 - Governmental Organization and Review

HB 1839 - Ways and Means

HB 1840 - Agriculture

HB 1841 - Consumer Protection

HB 1842 - Ways and Means

HB 1843 - Governmental Organization and Review

HB 1844 - Governmental Organization and Review

HB 1845 - Civil and Administrative Law

HB 1846 - Education - Elementary and Secondary

HB 1847 - Local Government and Related Matters

HB 1848 - Utilities Regulation

HB 1849 - Ways and Means

HB 1850 - Local Government and Related Matters

HB 1851 - Civil and Administrative Law

HB 1852 - Judiciary

HB 1853 - Environment and Energy

HB 1854 - Critical Issues

HB 1855 - Civil and Administrative Law

HB 1856 - Transportation

HB 1857 - Correctional and State Institutions

HB 1858 - Transportation

HB 1859 - Agriculture

HB 1860 - Ways and Means

HB 1861 - Professional Registration and Licensing

HB 1862 - Professional Registration and Licensing

HB 1863 - Agri-Business

HB 1864 - Civil and Administrative Law

HB 1866 - Local Government and Related Matters

HB 1867 - Ways and Means

HB 1868 - Urban Affairs

HB 1869 - Agriculture

HB 1870 - Local Government and Related Matters

HB 1871 - Public Health and Safety

HB 1872 - Ways and Means

COMMITTEE REPORT

Committee on Education - Elementary and Secondary, Chairman Stoll reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred HB 1135 and HB 991, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

WITHDRAWAL OF HOUSE BILLS

February 26, 1998

The Honorable Steve Gaw

Speaker of the House

State Capitol Building

Room 308

Jefferson City, MO 65101

Dear Mr. Speaker:

I am writing this letter to respectfully ask that you withdraw HB1745 which I have co-sponsored with Rep. Hoppe. Thank you for your consideration.

Sincerely,

/s/ Ralph A. Monaco

Representative

District 49

March 2, 1998

Chief Clerk Anne Walker

State Capitol Building - Room 307

Jefferson City, MO 65101

Dear Chief Clerk:

I am writing this letter to respectfully ask that you withdraw House Bill 1169 which I have sponsored. Thank you for your consideration.

Sincerely,

/s/ John J. Hickey

District 80

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, March 3, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirtieth Day, Thursday, February 26, 1998, pages 370 and 371, roll call, by showing Representative Broach voting "aye" rather than "absent with leave".

Pages 372 and 373, roll call, by showing Representative Murray voting "aye" rather than "absent with leave".

Page 375, roll call, by showing Representative Ridgeway voting "no" rather than "absent with leave".

Pages 377 and 378, roll call, by showing Representative Ridgeway voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, March 4, 1998, 1:00 pm. Hearing Room 6. Executive session.

To be considered - HB 1606, HB 1794

BUDGET

Tuesday, March 3, 1998, 8:30 am. Hearing Room 9.

To be considered - HB 1011, HB 1010

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 4, 1998. Hearing Room 1 and 2 upon morning adjournment.

To be considered - HB 1156, HB 1284, HB 1653

CONSUMER PROTECTION

Tuesday, March 3, 1998, 8:00 pm. Hearing Room 7.

To be considered - HB 1770, HB 1750, HB 1787, Executive Session - HB 1169,

Executive Session - HB 1259, Executive Session - HB 1132,

Executive Session - HB 1590, Executive Session - HB 1536

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, March 3, 1998, 8:00 pm. Hearing Room 9. Executive session.

To be considered - HB 1805, HB 1809

CRIMINAL LAW

Wednesday, March 4, 1998, 8:00 pm. Hearing Room 9. Executive session to follow.

To be considered - HB 1447, HB 1027, HB 1779, HB 1786, HB 1102, HB 1289,

HB 1793, HB 904

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, March 3, 1998. Hearing Room 8 upon morning adjournment.

To be considered - HB 892, HB 1320, HB 1595, Executive Session - HB 976,

Executive Session - HB 1771

JUDICIARY

Tuesday, March 3, 1998. Hearing Room 5 upon morning adjournment.

Executive session to follow.

To be considered - HB 1627, HB 1659, HB 1773, HB 1188

LABOR

Tuesday, March 3, 1998, 8:00 pm. Hearing Room 6.

To be considered - Executive Session - HB 1128, Executive Session - HB 1470,

Executive Session - HB 1748, Executive Session - HB 1139, Executive Session - HB 1634

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 3, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session may follow.

To be considered - HB 1764, HB 1668, HB 1698, HB 1695, HB 1664, HB 1610,

HB 1385, HB 1307, HB 1807

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 4, 1998, 9:00 am. Hearing Room 6.

To be considered - HB 1803, HR 252, HR 292, Executive Session - HJR 49,

Executive Session - HB 1292, Executive Session - HB 1533, Executive Session - HB 1713

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 3, 1998, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - HB 1802, HB 1723, HB 1696, HB 1746, HB 1378, HB 1422, HB 1757

PUBLIC HEALTH AND SAFETY

Tuesday, March 3, 1998, 12:15 pm. Hearing Room 3 and 4. Executive session may follow.

To be considered - HB 1782, HB 1800, HB 1740

RETIREMENT

Wednesday, March 4, 1998, 8:00 pm. Hearing Room 7. Executive session to follow.

To be considered - HB 1763, HB 1776, HB 1811, HB 1111

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, March 3, 1998, 8:00 pm. Hearing Room 5. Possible executive session.

To be considered - HB 1337, HB 1467, HB 1572

STATE PARKS, NATURAL RESOURCES & MINING

Wednesday, March 4, 1998, 1:00 pm. Hearing Room 3 and 4. Executive session to follow.

To be considered - HB 1407, HB 1812

SUB-COMMITTEE OF PROFESSIONAL REGISTRATION

Tuesday, March 3, 1998, 8:30 am. Hearing Room 5.

Accessibility of Missouri consumers to records of medical professionals.

WAYS AND MEANS

Tuesday, March 3, 1998. Hearing Room 6 upon morning adjournment.

Executive session may follow.

To be considered - HB 1203, HB 1220, HB 1401, HB 1477, HB 1781, HB 1324, HJR 36

HOUSE CALENDAR

Thirty-second Day, Tuesday, March 3, 1998

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 54

HOUSE BILLS FOR SECOND READING

HB 1873 through HB 1878

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 32 - Days

HOUSE BILLS FOR PERFECTION

HCS HB 1412, HS as amended, pending - Harlan

HCS HB 1195 - May (108)

HCS HB 1601,1591,1592,1479 & 1615 - Treadway

HCS HB 1095 - Smith

HB 1240 - Parker

HCS HB 1323 - Green

HB 1229 - Copeland

HCS HB 1681 & 1342 - Koller

HCS HB 1455 & 1463 - O'Toole

HB 1694, HCA 1 - Gaw

HCS HB 1434 - Thomason (163)

HCS HB 1038 - Carter

HB 1070 - Barry

HB 1322, HCA 1 - Foley

HCS HB 1526 - May (108)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR THIRD READING

HCS HB 1469 - Relford

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1094, 1213, 1311 & 1428, (Budget Fiscal 2-19-98) - Treadway

HS HCS HB 1147, 1435, 1050, 1186 & 1108 - Hosmer

HCS HB 1197, (Budget Fiscal 2-24-98) - Gunn

HCS HB 1315, (Budget Fiscal 2-24-98) - Dougherty


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House Journal

Second Regular Session, 89th General Assembly

THIRTY-SECOND DAY, tuesday, March 3, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

O God, in this age of modern technology and space age travel, let us not forget to recognize the simplicity of life as we see it in a small flower peeking through a dusting of snow, or as we hear it in a small child's question. Your world bursts around us in such magnificent form that it can take us by surprise from one day to the next.

Here in the House we often lose track of the world outside - and yet the work done in this room impacts the outside world in a multitude of ways - whether it's in the regulating of Internet web sites or the involvement of parents in the education of special children. Guide these representatives to a clearer understanding of the issues involved not letting them forget that issues must take second place to the needs of the people with faces and names and feelings. Give them the courage to do what will help and not hurt. Help them focus their time and energy on the important and set aside the trivial.

Most of all, O God of Life, give them assurance - the peace of knowing that You are present in their lives. In all of live, blessed are You, O Sovereign God, ruler of the universe. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Justin Horner, Jessica Reese, Blake Robinson, Katie West, Jesse Hodgson, Andy Mackley, Livia Mackley and Betsy Baxter.

The Journal of the thirty-first day was approved as corrected.

RESOLUTIONS

Representative Green offered House Resolution No. 338, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 339, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Relford offered House Concurrent Resolution No. 19.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 54 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1873 through HB 1878 were read the second time.

THIRD READING OF HOUSE BILL

HS HCS HBs 1147, 1435, 1050, 1186 & 1108, relating to controlled substances, was taken up by Representative Hosmer.

On motion of Representative Hosmer, HS HCS HBs 1147, 1435, 1050, 1186 & 1108 was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Elliott Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 005

Copeland Edwards-Pavia Enz Gibbons O'Toole

VACANCY: 001

Speaker Gaw declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Heckemeyer moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HB 1412, with HS, as amended, pending, relating to health plans for small employers, was again taken up by Representative Harlan.

Representative Pryor offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Page 1, in the title, Line 5, by striking the word "four" and inserting in lieu thereof the word "five"; and

Further amend said bill, Page 6, Section 103.080, Line 18 of said page, by striking the word "The" and inserting in lieu thereof the following:

"Subject to a favorable recommendation by the board after completion of the study conducted pursuant to section 103.078, the"; and

Further amend said bill, Page 11, Section B, Line 10 of said page, by inserting immediately after all of said line the following:

"Section C. Chapter 130, RSMo, is amended by adding thereto one new section, to be known as section 103.078, to read as follows:

130.078. The board shall conduct a study of the actuarial soundness of permitting small businesses, including sole proprietorships, limited partnerships and other corporate entities in the plan. The study shall include an examination of the insurers that are currently available to these small businesses. The study shall be completed no later than September 1, 1999.".

Representative Foley offered House Substitute Amendment No. 1 for House Amendment

No. 5.

House Substitute Amendment No. 1

for

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Page 8, Section 103.080, Line 21, by inserting immediately after said line the following:

Any entity bidding to provide coverage under the plan shall submit to the board within 15 days of receiving such demographic information copies of any actuarial studies completed concerning the soundness of permitting small businesses to participate in the plan.

HCS HB 1412, with House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 5, and HS, as amended, pending, was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

RESOLUTIONS

Representative Green offered House Resolution No. 338, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 339, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 340, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Loudon offered House Resolution No. 341, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bonner, et al, offered House Resolution No. 342, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Campbell offered House Resolution No. 343, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HCS HBs 1525, 1269 & 1430, HS HCS HB 1161, HB 1091, HJR 39, and HCS HBs 1273, 943 & 1217, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HB 1412, with House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 5, and HS, as amended, pending, relating to health plans for small employers, was again taken up by Representative Harlan.

House Substitute Amendment No. 1 for House Amendment No. 5 was withdrawn.

Representative Pryor offered House Substitute Amendment No.1 for House Amendment

No. 5.

House Substitute Amendment No. 1

for

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Page 1, in the title, Line 5, by striking the word "four" and inserting in lieu thereof the word "five"; and

Further amend said bill, Page 6, Section 103.080, Line 18 of said page, by striking the word "The" and inserting in lieu thereof the following:

"Subject to a favorable recommendation by the board after completion of the study conducted pursuant to section 103.078, the"; and

Further amend said bill, Page 11, Section B, Line 10 of said page, by inserting immediately after all of said line the following:

"Section C. Chapter 103, RSMo, is amended by adding thereto one new section, to be known as section 103.078, to read as follows:

103.078. The board shall conduct a study of the actuarial soundness of permitting small businesses, including sole proprietorships, limited partnerships and other corporate entities in the plan. The study shall include an examination of the insurers that are currently available to these small businesses. The study shall be completed no later than December 1, 1998.".

On motion of Representative Pryor, House Substitute Amendment No. 1 for House Amendment No. 5 was adopted.

Representative Richardson offered House Amendment No. 6.

Representative Harlan raised a point of order that House Amendment No. 6 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Shields offered House Amendment No. 6.

House Amendment No. 6 was withdrawn.

Speaker Pro Tem Kreider assumed the Chair.

Representative Naeger offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Page 7, Section 103.080, Lines 2 - 6, by deleting said lines and inserting in lieu thereof the following:

"Regarding the administration of coverage provided to small employers and political subdivisions, the board shall authorize agents and brokers to procure, solicit or negotiate coverages under the plan to small employers. The board shall establish a schedule of commissions to pay for the services of the agent or broker which shall be included in the bidding process established by the board in subsection 6 of this section.". Agents or brokers licensed to sell accident and health insurance under this section shall be authorized to sell coverage to small employers and political subdivisions throughout the state and shall not be limited geographically."

On motion of Representative Naeger, House Amendment No. 6 was adopted.

Representative Gunn offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Page 11, Section 103.080, Line 8, by inserting immediately following said line the following:

"Section 1. Any individual may participate in the Missouri Consolidated Health Care Plan. The plan's board shall establish a mechanism whereby any individual may be provided coverage under the plan,"; and

further amend the title and enacting clause accordingly.

Representative Gunn moved that House Amendment No. 7 be adopted.

Which motion was defeated.

Representative Bartelsmeyer offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Page 11, Line 8, by inserting the following new section:

Section 1. It shall be illegal for any health benefit plan to offer and for any small employee to accept, the coverage for elective abortions regulated pursuant to Section 376.805, RSMo.

Representative Bartelsmeyer offered corrected House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Page 11, Line 8, by inserting the following new section:

Section 1. It shall be illegal for any health benefit plan to offer and for any small employer to accept, the coverage for elective abortions regulated pursuant to Section 376.805, RSMo.

Representative Thomason (163) raised a point of order that the corrected House Amendment No. 8 goes beyond the scope of the bill.

The Chair ruled the point of order untimely.

On motion of Representative Bartelsmeyer, House Amendment No. 8 was adopted by the following vote:

AYES: 105

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bennett Berkstresser Boatright

Bonner Boucher Broach Burton Champion

Chrismer Cierpiot Cooper Copeland Crawford

Crump DeMarce Dolan Donovan Elliott

Farnen Foley Foster Froelker Gaskill

Gaston Gibbons Graham 106 Gratz Green

Griesheimer Gross Gunn Hall Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hohulin

Holand Howerton Johnson Kasten Kelley 47

Kennedy Kissell Klindt Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Schwab Scott Secrest

Sheldon 104 Shields Smith Steen Stokan

Stoll Summers Surface Townley Treadway

Troupe Vogel Wannenmacher Williams 159 Wooten

NOES: 040

Backer Bartlett Bland Bray 84 Campbell

Carter Clayton Daniel 42 Daniels 41 Davis 122

Davis 63 Days Fitzwater Ford Fritts

Hagan-Harrell Harlan Hilgemann Hollingsworth Hosmer

Kauffman Kelly 27 Kreider Lakin May 108

Mays 50 McBride McClelland McLuckie Scheve

Schilling Seigfreid Shelton 57 Skaggs Stroker

Thomason 163 Thompson 72 Van Zandt Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 017

Bauer Dougherty Edwards-Pavia Enz Evans

Franklin Graham 24 Hickey Hoppe Koller

Murphy O'Toole Ostmann Shear Thompson 37

Wiggins Williams 121

VACANCY: 001

Representative Shields offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Page 8, Section 103.080, Line 10 of said page, by inserting immediately after the word "charged" the following: "and the small employer establishes evidence of good health for all employees to be enrolled in the plan by that employer, in the same manner as required of state employees under section 103.098."

On motion of Representative Shields, House Amendment No. 9 was adopted.

Representative Shields offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Page 9, Section 103.080, Line 8, by deleting the word "shall" in said line and replacing it with the following: "may, but shall not be required to"

Representative Scheve assumed the Chair.

Speaker Gaw resumed the Chair.

Representative Shields moved that House Amendment No. 10 be adopted.

Which motion was defeated by the following vote:

AYES: 078

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Copeland

Crawford Dolan Elliott Evans Foster

Froelker Gaskill Gaston Gibbons Graham 106

Gratz Griesheimer Gross Gunn Hall

Hartzler 123 Hartzler 124 Hegeman Hendrickson Hohulin

Holand Howerton Kasten Kauffman Kelley 47

Klindt Legan Levin Liese Linton

Lograsso Long Loudon Marble McClelland

Merideth Miller Murphy Naeger Nordwald

Ostmann Patek Pouche Pryor Purgason

Reinhart Richardson Ridgeway Robirds Ross

Sallee Schwab Scott Secrest Sheldon 104

Shields Steen Summers Surface Townley

Vogel Wannenmacher Wooten

NOES: 079

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Clayton Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Donovan Dougherty

Farnen Fitzwater Foley Ford Franklin

Fritts Graham 24 Green Hagan-Harrell Harlan

Heckemeyer Hickey Hilgemann Hollingsworth Hoppe

Hosmer Johnson Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Luetkenhaus May 108 Mays 50 McBride McLuckie

Monaco Murray O'Connor Overschmidt Parker

Ransdall Relford Reynolds Rizzo Scheve

Schilling Seigfreid Shelton 57 Skaggs Smith

Stokan Stoll Stroker Thomason 163 Thompson 37

Thompson 72 Treadway Troupe Van Zandt Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 005

Daniel 42 Edwards-Pavia Enz O'Toole Shear

VACANCY: 001

Representative Shields requested a verification of the Roll Call on the motion to adopt House Amendment No. 10.

Representative Shields offered House Amendment No. 11.

Representative Harlan raised a point of order that House Amendment No. 11 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Patek offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Page 11, by inserting after Line 8, the following:

"Section 1. The board shall conduct annually a survey of all planholders. This survey shall include questions regarding the planholders' views of the quality of the plans. The survey results shall be made public."

Representative Patek moved that House Amendment No. 11 be adopted.

Which motion was defeated by the following vote:

AYES: 069

Akin Alter Auer Ballard Barnett

Bartelsmeyer Bennett Berkstresser Boatright Broach

Burton Champion Chrismer Cierpiot Crawford

Dolan Elliott Evans Foster Froelker

Gaskill Gaston Gibbons Graham 106 Gross

Gunn Hall Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Kasten

Kauffman Kelley 47 Klindt Legan Levin

Linton Lograsso Long Loudon Marble

McClelland Miller Murphy Naeger Ostmann

Patek Pouche Purgason Reinhart Richardson

Ridgeway Ross Sallee Schwab Scott

Secrest Sheldon 104 Shields Steen Summers

Surface Townley Vogel Wannenmacher

NOES: 083

Backer Barry 100 Bartlett Bauer Bland

Bonner Boucher Bray 84 Campbell Carter

Clayton Cooper Crump Daniel 42 Davis 122

Days DeMarce Donovan Dougherty Farnen

Fitzwater Foley Franklin Fritts Graham 24

Gratz Green Griesheimer Hagan-Harrell Harlan

Heckemeyer Hickey Hilgemann Hollingsworth Hoppe

Hosmer Johnson Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Liese Luetkenhaus May 108 Mays 50 McBride

McLuckie Merideth Monaco Murray Nordwald

O'Connor Overschmidt Parker Pryor Ransdall

Relford Reynolds Rizzo Robirds Scheve

Schilling Seigfreid Shelton 57 Skaggs Smith

Stokan Stoll Stroker Thomason 163 Thompson 72

Treadway Van Zandt Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Copeland Daniels 41 Davis 63 Edwards-Pavia Enz

Ford O'Toole Shear Thompson 37 Troupe

VACANCY: 001

HCS HB 1412, with HS, as amended, pending, was laid over.

Representative Clayton assumed the Chair.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HB 1161 - Budget (Fiscal Note)

HB 1876 - Agriculture

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1784 - Commerce

COMMITTEE REPORTS

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred HB 1065, HB 1180 and HB 1121, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred HB 1126, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND House Bill No. 1126, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal sections 105.273 and 105.274, RSMo 1994, and to enact in lieu thereof twenty-nine new sections relating to certain authorized signatures, with penalty provisions."; and

Further amend said bill, Page 1, Section 1, Line 1, by inserting immediately before said line the following:

"Section A. Sections 105.273 and 105.274, RSMo 1994, are repealed and twenty-nine new sections enacted in lieu thereof, to be known as sections 105.273, 105.274, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27, to read as follows:

105.273. As used in sections 105.273 to 105.278

(1) "Public security" means a bond, note, certificate of indebtedness, or other obligation for the payment of money, issued by this state or by any of its departments, agencies or other instrumentalities or by any of its political subdivisions;

(2) "Instrument of payment" means a check, draft, warrant or order for the payment, delivery or transfer of funds;

(3) "Authorized officer" means any official of this state or any of its departments, agencies, or other instrumentalities or any of its political subdivisions whose signature to a public security or instrument of payment is required or permitted;

(4) "Facsimile signature" means a reproduction by engraving, imprinting, stamping, or other means of the manual signature of an authorized officer;

(5) "Contract", means any contract executed by a political subdivision of this state and approved by the governing body of the political subdivision.

105.274. Any authorized officer, after filing with the secretary of state his or her manual signature certified by [him] such officer under oath, may execute or cause to be executed with a facsimile signature in lieu of his or her manual signature:

(1) Any public security, provided that at least one signature required or permitted to be placed thereon shall be manually subscribed; [and]

(2) Any instrument of payment. Upon compliance with sections 105.273 to 105.278 by the authorized officer, his or her facsimile signature has the same legal effect as his or her manual signature; and

(3) Any contract executed by a political subdivision of this state and approved by the governing body of the

political subdivision.".

Committee on Governmental Organization and Review, Chairman Murray reporting:

Mr. Speaker: Your Committee on Government Organization and Review, to which was referred HB 1510, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1879, introduced by Representatives Hosmer, Schilling and McLuckie, relating to sales of tobacco products.

HB 1880, introduced by Representative Hickey, relating to certain motor vehicle equipment.

HB 1881, introduced by Representative Kissell, relating to local traffic ordinances.

HB 1882, introduced by Representative Luetkenhaus, relating to the teachers' and educational employees' memorial scholarship.

HB 1883, introduced by Representatives Schilling, Foster, Merideth, et al, relating to the economic and environmental impact of high capacity chip mills.

HB 1884, introduced by Representatives Patek and Klindt, relating to approval of new productive values for agricultural and horticultural property.

HB 1885, introduced by Representative Dougherty, relating to the committee on legislative research.

HB 1886, introduced by Representatives McLuckie and Davis (63), relating to the age of children starting school.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 809, entitled:

An act to amend chapter 71, RSMo, by adding thereto one new section relating to certain real property.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 787, entitled:

An act to amend chapter 620, RSMo, by adding thereto six new sections relating to the development of microenterprise programs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 764, entitled:

An act to repeal section 473.767, RSMo 1994, relating to probate code, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 561, entitled:

An act to amend chapter 393, RSMo, by adding thereto one new section relating to billing procedures of providers of utility services, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 753, entitled:

An act to repeal section 168.071, RSMo 1994, relating to certification of teachers, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 883, entitled:

An act to repeal section 226.040, RSMo Supp. 1997, relating to transportation, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 629, entitled:

An act to amend chapter 67, RSMo, by adding thereto twenty-three new sections relating to property taxation, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SB 657, entitled:

An act to repeal section 287.815, RSMo 1994, and section 287.812, RSMo Supp. 1997, relating to certain retirement systems, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS SBs 675, 483, 490 & 564, entitled:

An act to repeal section 135.030, RSMo 1994, and section 135.010, RSMo Supp. 1997, relating to circuit breaker tax relief, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 625, entitled:

An act to repeal sections 190.100, 190.105, 190.110, 190.115, 190.120, 190.125, 190.130, 190.140, 190.141, 190.150, 190.155, 190.160, 190.165, 190.171, 190.175, 190.180 and 190.190, RSMo 1994, and sections 190.145 and 190.185, RSMo Supp. 1997, relating to emergency services, and to enact in lieu thereof eighteen new sections

relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 650, entitled:

An act to create chapter 324, RSMo, by enacting ten new sections relating to the regulation of the practice of medical nutrition therapy, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 661, entitled:

An act to repeal sections 319.129, 319.131 and 319.133, RSMo Supp. 1997, relating to the petroleum storage tank insurance fund, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, March 4, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-First Day, Monday, March 2, 1998, pages 387 and 388, roll call, by showing Representative Bennett (15) voting "aye" rather than "absent with leave".

Pages 387 and 388, roll call, by showing Representative Kelly (27) voting "aye" rather than "present".

Pages 391 and 392, roll call, by showing Representative O'Connor voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 4, 1998. Hearing Room 7 upon morning adjournment.

To be considered - HB 1348, HB 1859, HB 1876

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, March 4, 1998, 1:00 pm. Hearing Room 6. Executive session.

To be considered - HB 1606, HB 1794

BUDGET

Wednesday, March 4, 1998. Hearing Room 9 upon morning adjournment.

Executive session. Appropriation bill mark up. HB 1001 through HB 1012.

BUDGET

Wednesday, March 4, 1998, 8:30 am. Hearing Room 9. If not finished HB1010.

Appropriation bill mark up HB 1001 through HB 1012. Executive session.

CHILDREN, YOUTH AND FAMILIES

Wednesday, March 4, 1998, 7:30 pm. Hearing Room 8. Possible executive session.

To be considered - HB 1815, HB 1836

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 4, 1998. Hearing Room 1 and 2 upon morning adjournment.

AMENDED. Executive session to follow.

To be considered - HB 1156, HB 1284, HB 1653

CRIMINAL LAW

Wednesday, March 4, 1998, 8:00 pm. Hearing Room 9. Executive session to follow.

To be considered - HB 1447, HB 1027, HB 1779, HB 1786, HB 1102, HB 1289,

HB 1793, HB 904

CRITICAL ISSUES

Wednesday, March 4, 1998, 9:00 am. Hearing Room 5.

To be considered - Executive Session - HB 1741, Executive Session - HB 1393,

Executive Session - HB 1643, Executive Session - HJR 29

ENVIRONMENT AND ENERGY

Thursday, March 5, 1998, 8:30 am. Hearing Room 6.

To be considered - HB 1580

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 4, 1998, 8:45 am. Hearing Room 8.

To be considered - HB 1663

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 4, 1998, 9:00 am. Hearing Room 6.

To be considered - HB 1803, HR 252, HR 292, Executive Session - HJR 49,

Executive Session - HB 1292, Executive Session - HB 1533, Executive Session - HB 1713

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, March 4, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 1780, HB 1777, HB 1769, HB 1862, HB 1861

RETIREMENT

Wednesday, March 4, 1998, 8:00 pm. Hearing Room 7. Executive session to follow.

To be considered - HB 1763, HB 1776, HB 1811, HB 1111

STATE PARKS, NATURAL RESOURCES & MINING

Wednesday, March 4, 1998, 1:00 pm. Hearing Room 3 and 4. Executive session to follow.

To be considered - HB 1407, HB 1812

TRANSPORTATION

Wednesday, March 4, 1998, 1:00 pm. Hearing Room 5. Executive session to follow.

To be considered - HB 1682, HCR 13

UTILITIES REGULATION

Thursday, March 5, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1848, Executive Session - HB 988, Executive Session - HB 1429, Executive Session - HB 1506

HOUSE CALENDAR

Thirty-third Day, Wednesday, March 4, 1998

HOUSE BILLS FOR SECOND READING

HB 1879 through HB 1886

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 32 - Days

HOUSE BILLS FOR PERFECTION

HCS HB 1412, HS, as amended, pending - Harlan

HCS HB 1195 - May (108)

HCS HB 1601, 1591, 1592, 1479 & 1615 - Treadway

HCS HB 1095 - Smith

HB 1240 - Parker

HCS HB 1323 - Green

HB 1229 - Copeland

HCS HB 1681 & 1342 - Koller

HCS HB 1455 & 1463 - O'Toole

HB 1694, HCA 1 - Gaw

HCS HB 1434 - Thomason (163)

HCS HB 1038 - Carter

HB 1070 - Barry

HB 1322, HCA 1 - Foley

HCS HB 1526 - May (108)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 39 - Scheve

HOUSE BILLS FOR THIRD READING

HCS HB 1469 - Relford

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1094, 1213, 1311 & 1428, (Budget Fiscal 2-19-98) - Treadway

HCS HB 1197, (Budget Fiscal 2-24-98) - Gunn

HCS HB 1315, (Budget Fiscal 2-24-98) - Dougherty

HCS HB 1525, 1269 & 1430 - McBride

HCS HB 1273, 943 & 1217, E.C. - Days

HCS HB 1363 & 906 - Farnen

HB 1091 - Rizzo

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HS HCS HB 1161, E.C. (Budget Fiscal 3-3-98) - Wiggins

SENATE BILLS FOR SECOND READING

SCS SB 561

SCS SB 625

SB 629

SB 650

SS SB 657

SB 661

SS SCS SB 675, 483, 490 & 564

SCS SB 753

SB 764

SB 787

SB 809

SB 883

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House Journal

Second Regular Session, 89th General Assembly

THIRTY-THIRD DAY, Wednesday, March 4, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Only $24.99; only $19.95 - credit cards, debit cards - the issue of money assails from every direction, O Lord, and the heck of it is, it's a necessity of our lives in this modern age, something we never seem to have enough of, owe too much of, or are hunting for ways to protect the amount we DO have. Help us see clearly, God, so that money may be seen as something to bring about good: to relieve homelessness and hunger, to provide educational and health opportunities to all men, women and children, to secure the well-being of infants and children. Don't let us make money our god in Your place, O Holy One.

These representatives have been entrusted with tremendous amounts of money - thousands and millions of dollars that all of us have worked hard for - and it's a big responsibility to see that the money is spent wisely and judiciously. Help them to make the decisions they make based on Your guidance and their own good conscience, so that the stewardship of what they have been given - money, time, decision-making - will all be done in the spirit and the law of love. O God of creation, we seek Your presence in this place and with those who labor here each day. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alex Denning, Vicky Robinson, Christopher Kennaley, Katie Kennaley and Kimberly Kennaley.

The Journal of the thirty-second day was approved as corrected.

RESOLUTIONS

Representative Alter offered House Resolution No. 344 and House Resolution No. 345, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 346, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1879 through **HB 1886** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 561, SCS SB 625, SB 629, SB 650, SS SB 657, SB 661, SS SCS SBs 675, 483, 490 & 564, SCS SB 753, SB 764, SB 787, SB 809 and SB 883 were read the second time.

COMMITTEE REPORTS

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred House Resolution No. 308, House Resolution No. 310 through House Resolution No. 324, and House Resolution No. 326 through House Resolution No. 340, begs leave to report it has examined the same and recommends that they Do Pass.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HCS HBs 1363 & 906, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS

HCS HB 1469, relating to certification of teachers, was taken up by Representative Relford.

On motion of Representative Relford, HCS HB 1469 was read the third time and passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Elliott Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bland Edwards-Pavia Enz O'Toole Wiggins

VACANCY: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Leake, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

HCS HBs 1525, 1269 and 1430, relating to department of conservation, was taken up by Representative McBride.

On motion of Representative McBride, HCS HBs 1525, 1269 and 1430 was read the third time and passed by the following vote:

AYES: 143

Auer Backer Ballard Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Elliott Evans Farnen Fitzwater Foley

Ford Foster Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Long

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Rizzo Robirds Ross

Sallee Scheve Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 011

Akin Alter Chrismer Gross Hohulin

Lograsso Loudon Ridgeway Schilling Sheldon 104

Steen

PRESENT: 000

ABSENT WITH LEAVE: 008

Edwards-Pavia Enz Franklin Kasten O'Toole

Shear Thompson 72 Wiggins

VACANCY: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Fritts moved that motion lay on the table.

The latter motion prevailed.

HCS HBs 1273, 943 and 1217, relating to elections, was taken up by Representative Days.

On motion of Representative Days, HCS HBs 1273, 943 and 1217 was read the third time and passed by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Days DeMarce Dolan Donovan

Dougherty Elliott Evans Farnen Foley

Ford Foster Franklin Fritts Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 005

Boatright Fitzwater Froelker Hohulin Murphy

PRESENT: 000

ABSENT WITH LEAVE: 007

Davis 63 Edwards-Pavia Enz Kelly 27 Luetkenhaus

O'Toole Wiggins

VACANCY: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 136

Akin Alter Auer Backer Ballard

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Clayton Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Days DeMarce

Dolan Donovan Dougherty Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Gaskill Gaston Gibbons Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Long

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Miller Monaco Murray

Nordwald O'Connor Ostmann Overschmidt Parker

Pouche Pryor Ransdall Reinhart Relford

Reynolds Richardson Rizzo Robirds Ross

Sallee Scheve Schilling Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 021

Barnett Boatright Chrismer Cierpiot Elliott

Froelker Graham 106 Hall Hendrickson Hohulin

Howerton Lograsso Loudon Merideth Murphy

Naeger Patek Purgason Ridgeway Schwab

Summers

PRESENT: 000

ABSENT WITH LEAVE: 005

Davis 63 Edwards-Pavia Enz O'Toole Wiggins

VACANCY: 001

On motion of Representative Auer, title to the bill was agreed to.

Representative DeMarce moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

HCS HBs 1363 and 906, relating to governing bodies of public colleges and universities, was taken up by Representative Farnen.

On motion of Representative Farnen, HCS HBs 1363 and 906 was read the third time and passed by the following vote:

AYES: 107

Auer Backer Barry 100 Bartlett Bauer

Bennett Bonner Boucher Bray 84 Campbell

Carter Champion Cierpiot Clayton Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Farnen Fitzwater Foley Ford

Foster Franklin Fritts Gaston Gibbons

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Johnson Kasten Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Levin Liese

Luetkenhaus May 108 Mays 50 McBride McLuckie

Merideth Monaco Murray Naeger Nordwald

O'Connor Overschmidt Parker Ransdall Relford

Reynolds Richardson Rizzo Robirds Sallee

Scheve Schilling Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Stokan Stoll

Stroker Summers Thomason 163 Thompson 37 Thompson 72

Troupe Van Zandt Wannenmacher Williams 121 Williams 159

Wilson Wooten

NOES: 048

Akin Alter Ballard Barnett Bartelsmeyer

Berkstresser Boatright Broach Burton Chrismer

Cooper Elliott Evans Froelker Gaskill

Graham 106 Hall Hegeman Hendrickson Hohulin

Howerton Kauffman Kelley 47 Legan Linton

Lograsso Long Loudon Marble McClelland

Miller Murphy Ostmann Patek Pouche

Pryor Purgason Reinhart Ridgeway Ross

Schwab Scott Secrest Smith Steen

Surface Townley Treadway

PRESENT: 000

ABSENT WITH LEAVE: 007

Bland Edwards-Pavia Enz O'Toole Vogel

Wiggins Mr. Speaker

VACANCY: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hickey, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

HB 1091, relating to Kansas City police salaries, was taken up by Representative Rizzo.

On motion of Representative Rizzo, HB 1091 was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Elliott Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Wannenmacher

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 006

Dougherty Edwards-Pavia Enz O'Toole Vogel

Wiggins

VACANCY: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative O'Connor, title to the bill was agreed to.

Representative McBride moved that the vote by which the bill passed be reconsidered.

Representative Luetkenhaus moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 39, relating to gaming, was taken up by Representative Scheve.

On motion of Representative Scheve, HJR 39 was read the third time and passed by the following vote:

AYES: 093

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Cooper Copeland Crump Daniel 42

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Farnen Fitzwater Foley

Ford Fritts Graham 106 Graham 24 Gratz

Green Griesheimer Gunn Hagan-Harrell Harlan

Heckemeyer Hickey Hilgemann Hollingsworth Hoppe

Hosmer Johnson Kasten Kelly 27 Kennedy

Kissell Koller Lakin Lawson Leake

Liese Luetkenhaus May 108 Mays 50 McBride

McLuckie Monaco Murray Naeger Nordwald

Overschmidt Parker Pouche Pryor Ransdall

Relford Reynolds Richardson Rizzo Scheve

Schilling Schwab Seigfreid Shear Sheldon 104

Shelton 57 Shields Smith Stokan Stoll

Stroker Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Vogel Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 060

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Crawford Elliott Evans

Foster Froelker Gaskill Gaston Gibbons

Gross Hall Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Kauffman

Kelley 47 Klindt Kreider Legan Levin

Linton Lograsso Long Loudon Marble

McClelland Merideth Miller Murphy Ostmann

Patek Purgason Reinhart Ridgeway Robirds

Ross Sallee Scott Secrest Skaggs

Steen Summers Surface Townley Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 009

Cierpiot Clayton Daniels 41 Edwards-Pavia Enz

Franklin O'Connor O'Toole Wiggins

VACANCY: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Kennedy moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HB 1412, with HS, as amended, pending, relating to health plans for small employers, was again taken up by Representative Harlan.

Speaker Gaw assumed the Chair.

Representative Gunn offered House Amendment No. 12.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bill No. 1412, Page 11, Section 103.080, Line 8 by:

inserting immediately after line 8 the following:

"9. No state funds shall be used to fund any loss accrued due to the inclusion of small employers in the Missouri Consolidated Health Care Plan."

On motion of Representative Gunn, House Amendment No. 12 was adopted by the following vote:

AYES: 096

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bennett Boatright

Broach Burton Champion Chrismer Cierpiot

Cooper Copeland Crawford Davis 63 Dolan

Elliott Evans Farnen Foster Froelker

Gaskill Gaston Gibbons Graham 106 Gratz

Griesheimer Gross Gunn Hall Hartzler 123

Hartzler 124 Hegeman Hendrickson Hohulin Holand

Hollingsworth Hoppe Howerton Johnson Kasten

Kelley 47 Kennedy Kissell Klindt Kreider

Lawson Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

Merideth Miller Murphy Naeger Nordwald

Ostmann Patek Pouche Pryor Purgason

Reinhart Richardson Ridgeway Robirds Ross

Sallee Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Smith Steen

Stokan Summers Surface Thomason 163 Thompson 72
Treadway Troupe Vogel Wannenmacher Williams 121
Wooten

NOES: 052

Backer Bauer Bland Boucher Bray 84
Campbell Carter Clayton Crump Daniel 42
Davis 122 Days DeMarce Donovan Dougherty
Fitzwater Foley Franklin Fritts Graham 24
Green Hagan-Harrell Harlan Heckemeyer Hilgemann
Hosmer Kauffman Kelly 27 Lakin Leake
May 108 Mays 50 McBride McClelland McLuckie
Monaco Murray Overschmidt Parker Ransdall
Relford Reynolds Scheve Schilling Shear
Skaggs Stoll Stroker Van Zandt Williams 159
Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 014

Berkstresser Bonner Daniels 41 Edwards-Pavia Enz
Ford Hickey Koller O'Connor O'Toole
Rizzo Thompson 37 Townley Wiggins

VACANCY: 001

On motion of Representative Harlan, HS HCS HB 1412, as amended, was adopted by the following vote:

AYES: 087

Backer Barry 100 Bartlett Bauer Berkstresser
Bland Bonner Boucher Bray 84 Campbell
Carter Champion Cooper Crump Daniel 42
Davis 122 Davis 63 Days DeMarce Donovan
Dougherty Farnen Fitzwater Foley Ford
Franklin Fritts Gaston Graham 24 Green
Griesheimer Hagan-Harrell Harlan Heckemeyer Hickey
Hilgemann Hollingsworth Hoppe Hosmer Johnson
Kauffman Kelly 27 Kennedy Kissell Kreider
Lakin Lawson Leake Levin Luetkenhaus
May 108 Mays 50 McBride McLuckie Merideth

Monaco Murray Naeger Overschmidt Parker

Pryor Purgason Ransdall Reinhart Relford

Reynolds Rizzo Robirds Scheve Schilling

Seigfreid Shear Shelton 57 Skaggs Smith

Stokan Stoll Stroker Summers Thompson 37

Thompson 72 Van Zandt Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 066

Akin Alter Auer Ballard Barnett

Bartelsmeyer Bennett Boatright Broach Burton

Chrismer Cierpiot Clayton Copeland Crawford

Dolan Elliott Evans Foster Froelker

Gaskill Gibbons Graham 106 Gross Gunn

Hall Hartzler 123 Hartzler 124 Hegeman Hendrickson

Hohulin Holand Howerton Kasten Kelley 47

Klindt Legan Liese Linton Lograsso

Long Loudon Marble McClelland Miller

Murphy Nordwald Ostmann Patek Pouche

Richardson Ridgeway Ross Sallee Schwab

Scott Secrest Sheldon 104 Shields Steen

Surface Thomason 163 Treadway Troupe Vogel

Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 009

Daniels 41 Edwards-Pavia Enz Gratz Koller

O'Connor O'Toole Townley Wiggins

VACANCY: 001

On motion of Representative Harlan, HS HCS HB 1412, as amended, was ordered perfected and printed.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ali Balwin, Erin Drummond, Ryan Woldruff and Keely White.

RESOLUTIONS

Representative Long offered House Resolution No. 347, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Lograsso and Ross offered House Resolution No. 348 through House Resolution No. 350, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Campbell offered House Resolution No. 351, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution No. 352 and House Resolution No. 353, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reinhart offered House Resolution No. 354, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crump offered House Resolution No. 355, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Seigfreid offered House Resolution No. 356, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Treadway offered House Resolution No. 357, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Williams (121) offered House Concurrent Resolution No. 20.

PERFECTION OF HOUSE BILL

HCS HB 1195, relating to liability limits for governments, was taken up by Representative May (108).

Representative Green offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1195, Page 1, In the Title, Line 3, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting "and 537.756" and inserting in lieu thereof the following: ", 537.756 and 1"; and

Further amend said bill, Page 5, Section 537.756, Line 11, by inserting after all of said line the following:

"Section 1. Notwithstanding any other provision of sections 537.600 to 537.650, RSMo, the rules of joint and several liability as set forth in section 537.067, RSMo, shall only apply to the state, its public entities and their employees, agents, servants and representatives on claims within the scope of sections 537.600 to 537.650, RSMo, and the state, its public entities and their employees, agents, servants and representatives shall be jointly and severally liable only for any amounts apportioned to the defendants and directly attributable to the defendants.".

Representative Thomason (163) offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1195, Page 5, Section 537.610, Line 33, by inserting after all of said line the following:

6. Notwithstanding any other provisions of 537.600 to 537.650 the rules of joint and several liability as set out in 537.067 shall not apply to the state, its public entities and their employees, agents, servants and representatives on claims within the scope of sections 537.600 to 537.650, but the state, its public entities and their employees, agents, servants and representatives shall be liable only for any amounts apportioned to them and directly attributable to them.

On motion of Representative Thomason (163), House Substitute Amendment No. 1 for House Amendment No. 1 was adopted by the following vote:

AYES: 088

Auer Ballard Barnett Bartelsmeyer Bennett

Berkstresser Boatright Broach Burton Champion

Chrismer Cooper Copeland Crawford Crump

Days Donovan Dougherty Elliott Evans

Fitzwater Ford Foster Franklin Fritts

Froelker Gaskill Gaston Graham 106 Griesheimer

Gross Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hohulin Holand Howerton Kasten Kelley 47

Klindt Lakin Lawson Leake Legan

Liese Linton Long Loudon Marble

McBride McClelland Merideth Miller Murphy

Naeger Nordwald Ostmann Overschmidt Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Schwab Scott Secrest

Seigfreid Shields Steen Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Vogel Wannenmacher Williams 159

NOES: 067

Akin Alter Backer Barry 100 Bartlett

Bauer Bonner Boucher Bray 84 Campbell

Carter Cierpiot Clayton Daniel 42 Daniels 41

Davis 122 Davis 63 DeMarce Dolan Farnen

Foley Gibbons Graham 24 Gratz Green

Gunn Hagan-Harrell Hall Hendrickson Hickey

Hilgemann Hollingsworth Hoppe Hosmer Johnson

Kauffman Kelly 27 Kennedy Kissell Kreider

Levin Lograsso Luetkenhaus May 108 Mays 50

McLuckie Monaco Murray O'Connor Parker

Ridgeway Scheve Schilling Shear Sheldon 104

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Troupe Van Zandt Williams 121 Wilson

Wooten Mr. Speaker

PRESENT: 001

Bland

ABSENT WITH LEAVE: 006

Edwards-Pavia Enz Harlan Koller O'Toole

Wiggins

VACANCY: 001

Representative Backer offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1195, Page 1, In the Title, Line 2, by inserting immediately after the number "537.610" the following: ", 537.705"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following: "and to enact in lieu thereof four new sections relating to the same subject, with an emergency clause."; and

Further amend said bill, Page 1, Section A, Line 1, by deleting all of said line and inserting in lieu thereof the following: "Section A. Sections 105.711, 537.610, 537.705 and 537.756, RSMo 1994, are repealed and four"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after the number "537.610" the following: ", 537.705"; and

Further amend said bill, Page 5, Section 537.610, Line 33, by inserting after all of said line the following:

"537.705. 1. All public entities in Missouri shall have the option of participating in the fund and making annual contributions to the fund in the amount determined by the board in accordance with the provisions of section 379.470, RSMo, relating to rates established by insurers. Participation in the fund has the same effect as purchase of insurance by the public entity, as otherwise provided by law, and shall have the same effect as a self-insurance plan adopted by the governing body of any political subdivision of the state. Moneys in the fund shall be available for:

(1) The payment and settlement of all claims for which coverage has been obtained by any public entity in accordance with coverages offered by the board;

(2) The payment and settlement of tort claims against any officer or employee of a participating public entity for which coverage has been obtained by any public entity in accordance with coverages offered by the board when the claim is upon conduct of such officer or employee arising out of and performed in connection with his or her official duties on behalf of the participating public entity;

(3) Attorney's fees and expenses incurred in the settlement and defense of such entities and persons for claims specified in this subsection.

2. No amount in excess of the amount specified by section 537.756 shall be paid from the fund for the payment and settlement of claims arising out of any single occurrence.

3. The board of trustees of the fund will negotiate the settlement of and provide the defense of any claim for which coverage has been obtained by any public entity in accordance with coverages offered by the board. The board of trustees of the fund shall make the final determination on the settlement of any claim, or any portion of any claim, which requires payment from the fund. For any year in which any public entity does not make a yearly contribution to the fund, the board of trustees of the fund shall not be responsible, in any way, for negotiating the settlement of any claim arising from an occurrence in that year, providing any defense of any claim arising from an occurrence in that year, making any payment on any claim arising from an occurrence in that year, or making any payment on any judgment on any claim arising from an occurrence in that year. Any public entity which discontinues its participation in the fund may not resume participation for a period of three years from the date it discontinues participation.

4. All staff for the Missouri public entity risk management fund shall be provided by the office of administration except as otherwise specifically determined by the board. The fund shall reimburse the office of administration for all costs of providing staff required by this subsection. Such reimbursement shall be made on an annual basis, pursuant to contract negotiated between the fund and the office of administration. As established in section 537.700, the Missouri public entity risk management fund is a body corporate and politic, and the state of Missouri shall not be liable in any way with respect to claims made against the fund or against entities or individuals covered by the fund, nor with respect to any expense of operation of the fund. Money in the fund is not state money nor is it money collected or received by the state.

5. Each participating public entity shall notify the board of trustees of the fund within seven working days of the time notice is received that a claim from an occurrence has been made against the entity, or one of its officers or employees. The public entity shall supply information to the board of trustees of the fund concerning any claim upon request. It shall also notify the board of trustees of the fund upon the closing of any claim.

6. The board may contract with independent insurance agents, authorizing such agents to accept contributions to the fund from public entities on behalf of the board upon such terms and conditions as the board deems necessary, and may provide a reasonable method of compensating such agents."; and

Further amend said bill, Page 5, Section 537.756, Lines 1 to 11, by deleting all of said lines and inserting in lieu thereof the following:

"537.756. 1. The maximum amount which may be paid from the Missouri public entity risk management fund, as defined in section 537.700, for the payment and settlement of claims arising out of any single occurrence, is [one] two million dollars.

2. The limitation on awards for liability provided for in this section shall be increased or decreased on a yearly basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce or its successor. The current value of the limitation shall be calculated by the director of the department of insurance, who shall furnish that current value to the secretary of state, who shall publish that current value in the Missouri Register as soon after each January first as practicable, but it shall otherwise be exempt from the provisions of section 536.021, RSMo.

Section B. Because immediate action is necessary to protect the public welfare, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.".

On motion of Representative Backer, House Amendment No. 2 was adopted.

Representative Kissell offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1195, Page 1, In the Title, Line 3, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after the number "537.610" the number ", 537.613,"; and

Further amend said bill, Page 5, Section 537.610, Line 33, by inserting after all of said line the following:

"537.613. For the purposes of this chapter a lawyer's contingency fee shall be reasonable. The factors to be considered in determining the reasonableness of a fee include the following:

(1) The time and the labor required;

(2) The novelty and difficulty of the questions involved and the skill requisite to perform the legal service properly;

(3) The likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;

(4) The fee customarily charged in the locality for similar legal services;

(5) The amount involved and the results obtained;

(6) The time limitations imposed by the client or by the circumstances;

(7) The nature and length of the professional relationship with the client;

(8) The experience, reputation and ability of the lawyer or lawyers preforming the services; and

(9) The financial risk to the lawyer in bringing the claim.".

On motion of Representative Kissell, House Amendment No. 3 was adopted.

Representative Monaco offered House Amendment No. 4.

House Amendment No. 4 was withdrawn.

Representative Hosmer offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1195, Page 5, Section 537.756, Line 11, by inserting immediately following said line, the following section:

"Section 1. The provisions of this act increasing the liability of the state and its public entities shall only be applied to those causes of action that accrue on or after the effective date of this act."; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Hosmer, House Amendment No. 4 was adopted.

Representative Seigfreid offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1195, Page 5, Section 537.610, Line 13 - 17, by deleting all of said lines and inserting in lieu thereof the following:

2. The liability of the state and its public entities on claims within the scope of sections 537.600 to 537.650, shall not exceed:

(a) For cities, towns, and villages under 1,000 population and counties under 6,000 population, one million dollars for all claims arising out of a single accident or occurrence and one hundred thousand dollars for any one person in a single accident or occurrence, except for those claims governed by the provisions of the Missouri workers' compensation law, chapter 287, RSMo;

(b) For cities, towns, and villages under 15,000 population and counties under 25,000 population, one million five hundred thousand dollars for all claims arising out of a single accident or occurrence and two hundred thousand dollars for any one person in a single accident or occurrence, except for those claims governed by the provisions of the Missouri workers' compensation law, chapter 287, RSMo;

(c) For other public entities and the state, two million dollars for all claims arising out of a single accident or occurrence and three hundred thousand dollars for any one person in a single accident or occurrence, except for those claims governed by the provisions of the Missouri workers' compensation law, chapter 287, RSMo.

Representative Seigfreid moved that House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 045

Ballard Barnett Bartelsmeyer Boatright Burton

Copeland Crawford DeMarce Elliott Evans

Fitzwater Foster Fritts Gaskill Gaston

Graham 106 Hartzler 123 Hartzler 124 Hegeman Hohulin

Howerton Kelley 47 Klindt Legan Long

Marble McBride Miller Nordwald Overschmidt

Patek Pouche Pryor Purgason Robirds

Sallee Scott Seigfreid Shields Skaggs

Steen Summers Surface Townley Vogel

NOES: 104

Akin Alter Auer Backer Barry 100

Bartlett Bauer Bennett Bland Bonner

Boucher Bray 84 Broach Campbell Carter

Champion Cierpiot Clayton Cooper Crump

Daniel 42 Davis 122 Davis 63 Days Dolan

Donovan Dougherty Farnen Foley Franklin

Froelker Gibbons Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Heckemeyer Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Kreider Lakin Levin Liese Linton

Lograsso Loudon Luetkenhaus May 108 Mays 50

McClelland McLuckie Merideth Monaco Murphy

Murray Naeger O'Connor Ostmann Parker

Ransdall Reinhart Relford Reynolds Ridgeway

Rizzo Ross Scheve Schilling Schwab

Secrest Shear Sheldon 104 Shelton 57 Smith

Stokan Stoll Stroker Thomason 163 Thompson 37

Thompson 72 Treadway Troupe Van Zandt Wannenmacher

Williams 159 Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 013

Berkstresser Chrismer Daniels 41 Edwards-Pavia Enz

Ford Koller Lawson Leake O'Toole

Richardson Wiggins Williams 121

VACANCY: 001

Speaker Pro Tem Kreider resumed the Chair.

Representative Gibbons offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1195, Page 5, Section 537.610, Lines 26 - 33, and Section 537.756, Lines 4 - 11, by deleting all of said lines.

Representative Gibbons moved that House Amendment No. 6 be adopted.

Which motion was defeated.

Representative Scott offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1195, Page 5, Section 537.610, Line 33 of said page, by inserting immediately after said line the following:

"7. In the event a final judgment is rendered by a court which judgment determines that any provision of this act taking effect on or after August 28, 1998, constitutes a new activity or service or increase in the level of an activity or service beyond that required by existing law pursuant to Article X, Section 21 of the Missouri Constitution, or any successor to that section, such provision shall be void ab initio."

Representative Scott moved that House Amendment No. 7 be adopted.

Which motion was defeated.

Representative Pouche offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 1195, Page 4, Line 114, by inserting after all of said line the following:

"537.607. 1. No facility, or employees of such facility, operated by a hospital established or maintained pursuant to chapter 96, RSMo, shall be protected from civil liability by the doctrine of sovereign immunity when such facility is located beyond the incorporated limits of the city in which such hospital is located.

2. No facility, or employees of such facility, operated by a hospital established or maintained pursuant to section 205.160, RSMo, shall be protected from civil liability by the doctrine of sovereign immunity when such facility is located beyond the boundaries of the county in which such hospital is located.

3. No facility, or employee of such facility, operated by a hospital established or maintained pursuant to section 206.110, RSMo, shall be protected from civil liability by the doctrine of sovereign immunity when such facility is located beyond the boundaries of the hospital district in which such hospital is located."; and

Further amend title and enacting clause accordingly.

Representative Pouche moved that House Amendment No. 8 be adopted.

Which motion was defeated.

Representative Crump offered House Amendment No. 9.

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 1195, Page 1, In the title, Line 2, by inserting after the figure "105.711," the figure "537.600,"; and

Further amend said bill, Page 1, In the title, Line 3, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Lines 1 to 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 105.711, 537.600, 537.610 and 537.756, RSMo 1994, are repealed and four new sections enacted in lieu thereof, to be known as sections 105.711, 537.600, 537.610 and 537.756, to"; and

Further amend said bill, Page 4, Section 105.711, Line 114, by inserting after all of said line the following:

"537.600. 1. Such sovereign or governmental tort immunity as existed at common law in this state prior to September 12, 1977, except to the extent waived, abrogated or modified by statutes in effect prior to that date, shall remain in full force and effect; except that, the immunity of the public entity from liability and suit for compensatory damages for negligent acts or omissions is hereby expressly waived in the following instances:

(1) Injuries directly resulting from the negligent acts or omissions by public employees arising out of the operation of motor vehicles or motorized vehicles within the course of their employment;

(2) Injuries caused by the condition of a public entity's property if the plaintiff establishes that the property was in dangerous condition at the time of the injury, that the injury directly resulted from the dangerous condition, that the dangerous condition created a reasonably foreseeable risk of harm of the kind of injury which was incurred, and that either a negligent or wrongful act or omission of an employee of the public entity within the

course of his employment created the dangerous condition or a public entity had actual or constructive notice of the dangerous condition in sufficient time prior to the injury to have taken measures to protect against the dangerous condition. In any action under this subdivision wherein a plaintiff alleges that he was damaged by the negligent, defective or dangerous design of a highway or road, [which was designed and constructed prior to September 12, 1977,] the public entity shall be entitled to a defense which shall be a complete bar to recovery whenever the [public entity can prove by a preponderance of the evidence that the alleged negligent, defective, or dangerous] design reasonably complied with highway and road design standards generally accepted at the time the road or highway was designed and constructed.

2. The express waiver of sovereign immunity in the instances specified in subdivisions (1) and (2) of subsection 1 of this section are absolute waivers of sovereign immunity in all cases within such situations whether or not the public entity was functioning in a governmental or proprietary capacity and whether or not the public entity is covered by a liability insurance for tort.

3. The term "public entity" as used in this section shall include any multi-state compact agency created by a compact formed between this state and any other state which has been approved by the Congress of the United States. Sovereign immunity, if any, is waived for the proprietary functions of such multi-state compact agencies as of the date that the Congress of the United States approved any such multi-state compact.

4. Pursuant to the prerogative of the general assembly to declare the public policy of the state in matters concerning liability in tort for public entities, the general assembly declares that prior to September 12, 1977, there was no sovereign or governmental immunity for the proprietary functions of multi-state compact agencies operating pursuant to the provisions of sections 70.370 to 70.440, RSMo, and 238.030 to 238.110, RSMo, including functions such as the operation of motor vehicles and the maintenance of property, involved in the operation of a public transit or public transportation system, and that policy is hereby reaffirmed and declared to remain in effect.

5. Any court decision dated subsequent to August 13, 1978, holding to the contrary of subsection 4 of this section erroneously interprets the law and the public policy of this state, and any claimant alleging tort liability under such circumstances for an occurrence within five years prior to February 17, 1988, shall in addition to the time allowed by the applicable statutes of limitation or limitation of appeal, have up to one year after July 14, 1989, to file or refile an action against such public entity and may recover damages imposed by the common law of this state as for any other person alleged to have caused similar damages under similar circumstances.".

Representative Crump moved that House Amendment No. 9 be adopted.

Which motion was defeated by the following vote:

AYES: 062

Ballard Barnett Bartelsmeyer Bennett Berkstresser

Boatright Burton Champion Cooper Copeland

Crawford Crump Elliott Evans Fitzwater

Foster Franklin Fritts Gaskill Graham 106

Gratz Griesheimer Hall Hartzler 123 Hegeman

Hohulin Holand Howerton Kasten Kauffman

Kelley 47 Klindt Legan Levin Linton

Long Marble McBride McClelland Miller

Murphy Naeger Overschmidt Patek Pouche

Pryor Purgason Relford Richardson Robirds

Sallee Schwab Scott Secrest Seigfreid

Shields Steen Surface Thomason 163 Townley

Vogel Wooten

NOES: 090

Alter Auer Backer Barry 100 Bartlett

Bauer Bland Bonner Boucher Bray 84

Broach Campbell Carter Chrismer Cierpiot

Clayton Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Dougherty Farnen

Foley Ford Gaston Graham 24 Green

Gross Gunn Hagan-Harrell Harlan Hartzler 124

Heckemeyer Hendrickson Hickey Hilgemann Hollingsworth

Hoppe Hosmer Johnson Kelly 27 Kennedy

Kissell Koller Kreider Lawson Leake

Liese Lograsso Loudon Luetkenhaus May 108

Mays 50 McLuckie Merideth Monaco Murray

Nordwald O'Connor Ostmann Parker Ransdall

Reinhart Reynolds Ridgeway Rizzo Ross

Scheve Schilling Shear Sheldon 104 Shelton 57

Skaggs Smith Stokan Stoll Stroker

Summers Thompson 72 Treadway Troupe Van Zandt

Wannenmacher Williams 121 Williams 159 Wilson Mr. Speaker

PRESENT: 001

Donovan

ABSENT WITH LEAVE: 009

Akin Edwards-Pavia Enz Froelker Gibbons

Lakin O'Toole Thompson 37 Wiggins

VACANCY: 001

Representative Howerton offered House Amendment No. 10.

Representative Kissell raised a point of order that House Amendment No. 10 amends previously amended material.

Representative May (108) raised an additional point of order that House Amendment No. 10 amends previously amended material.

The Chair ruled the points of order well taken.

Representative Summers offered House Amendment No. 10.

House Amendment No. 10

AMEND House Committee Substitute for House Bill No. 1195, Page 1, In the Title, Line 3, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting "and 537.756" and inserting in lieu thereof the following: ", 537.756 and 1"; and

Further amend said bill, Page 5, Section 573.756, Line 11, by inserting after all of said line the following:

"Section 1. The department of conservation shall pay the owner of any motor vehicle the first two hundred fifty dollars for repair of damages to any motor vehicle that collides with a deer. This section is not applicable to any damage caused to a motor vehicle that involves avoiding a deer, where there is no contact with a deer. The owner shall prove, by clear and convincing evidence, that such damage was caused by a collision with a deer.".

Representative Graham offered House Amendment No. 1 to House Amendment No.10.

House Amendment No. 1

to

House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for House Bill No. 1195, by adding the following:

"Anyone who runs over a "woodchuck" owes the state 250 dollars."

Representative Graham moved that House Amendment No. 1 to House Amendment No. 10 be adopted.

Which motion was defeated by the following vote:

AYES: 008

Clayton Farnen Fritts Gaskill Murray

Relford Reynolds Wooten

NOES: 139

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Broach Campbell Carter Champion

Chrismer Cierpiot Cooper Copeland Crawford

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Evans Fitzwater Foley Foster Franklin

Froelker Gaston Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Miller Monaco Murphy Naeger

Nordwald O'Connor Ostmann Overschmidt Parker

Pouche Pryor Purgason Ransdall Reinhart

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Summers Surface Thomason 163 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Williams 121 Williams 159 Wilson Mr. Speaker

PRESENT: 004

Boucher Long Merideth Patek

ABSENT WITH LEAVE: 011

Burton Crump Edwards-Pavia Enz Ford

Gibbons O'Toole Richardson Stroker Thompson 37

Wiggins

VACANCY: 001

Representative Hohulin offered House Amendment No. 2 to House Amendment No. 10.

House Amendment No. 2

to

House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for House Bill No. 1195, Page 2, Section 1, Line 1, by inserting after the word "deer" the following:

"When the roadside is not properly mowed to a height of less than 8 inches, the MoDOT shall be responsible for half the payment."

On motion of Representative Hohulin, House Amendment No. 2 to House Amendment No. 10 was adopted.

Representative Summers moved that House Amendment No. 10, as amended, be adopted.

Which motion was defeated by the following vote:

AYES: 072

Akin Alter Backer Ballard Barnett
Bartelsmeyer Bartlett Bennett Berkstresser Boatright
Broach Chrismer Cierpiot Cooper Crawford
DeMarce Dolan Donovan Elliott Evans
Foster Froelker Gaskill Gaston Graham 106
Gratz Griesheimer Gross Hall Hartzler 123
Hartzler 124 Hegeman Hohulin Holand Howerton
Kasten Kauffman Kelley 47 Klindt Legan
Levin Linton Lograsso Loudon Marble
McClelland Miller Naeger Nordwald Ostmann
Patek Pouche Pryor Purgason Reinhart
Richardson Ridgeway Robirds Ross Sallee
Schwab Scott Secrest Sheldon 104 Shields
Steen Summers Thomason 163 Townley Vogel
Williams 159 Wooten

NOES: 080

Auer Barry 100 Bauer Bland Bonner
Boucher Bray 84 Burton Campbell Carter
Champion Clayton Copeland Crump Daniel 42
Davis 122 Davis 63 Days Dougherty Farnen
Fitzwater Foley Ford Franklin Fritts
Graham 24 Green Gunn Hagan-Harrell Harlan
Heckemeyer Hendrickson Hickey Hilgemann Hollingsworth
Hosmer Johnson Kelly 27 Kennedy Kissell
Koller Kreider Lakin Lawson Leake
Liese May 108 Mays 50 McBride McLuckie
Merideth Monaco Murphy Murray O'Connor
Overschmidt Parker Ransdall Relford Reynolds
Rizzo Scheve Schilling Seigfreid Shear
Shelton 57 Skaggs Smith Stokan Stoll
Stroker Surface Thompson 72 Treadway Troupe

Van Zandt Wannenmacher Williams 121 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Daniels 41 Edwards-Pavia Enz Gibbons Hoppe

Long Luetkenhaus O'Toole Thompson 37 Wiggins

VACANCY: 001

Representative Gratz offered House Amendment No. 11.

Representative May (108) raised a point of order that House Amendment No. 11 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative May (108), HCS HB 1195, as amended, was adopted by the following vote:

AYES: 096

Akin Alter Auer Backer Barry 100

Bauer Bland Bonner Boucher Bray 84

Broach Campbell Carter Champion Cierpiot

Clayton Cooper Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Dougherty

Evans Farnen Fitzwater Foley Foster

Gaston Graham 24 Green Gross Gunn

Hagan-Harrell Hall Harlan Heckemeyer Hendrickson

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Kauffman Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Levin Liese Lograsso Luetkenhaus

May 108 Mays 50 McBride McLuckie Merideth

Monaco Murray O'Connor Parker Patek

Ransdall Reinhart Relford Reynolds Ridgeway

Rizzo Ross Scheve Schilling Seigfreid

Shear Sheldon 104 Skaggs Smith Stokan

Stoll Stroker Thomason 163 Thompson 72 Townley

Treadway Van Zandt Wannenmacher Williams 121 Williams 159

Wilson

NOES: 052

Ballard Barnett Bartelsmeyer Bartlett Bennett

Berkstresser Boatright Burton Chrismer Copeland

Crawford Crump Donovan Elliott Franklin

Fritts Gaskill Graham 106 Gratz Griesheimer

Hartzler 123 Hartzler 124 Hegeman Hohulin Johnson

Kasten Klindt Legan Linton Loudon

Marble McClelland Miller Murphy Nordwald

Ostmann Overschmidt Pouche Pryor Purgason

Robirds Sallee Schwab Scott Secrest

Shelton 57 Shields Steen Summers Surface

Vogel Wooten

PRESENT: 000

ABSENT WITH LEAVE: 014

Edwards-Pavia Enz Ford Froelker Gibbons

Kelley 47 Long Naeger O'Toole Richardson

Thompson 37 Troupe Wiggins Mr. Speaker

VACANCY: 001

On motion of Representative May (108), HCS HB 1195, as amended, was ordered perfected and printed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1822 - Children, Youth and Families

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred HB 1001, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HB 1002, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HB 1003, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HB 1004, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HJR 31, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred HJR 26, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred HJR 29, begs leave to report it has examined the same and recommends that it Do Not Pass.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1887, introduced by Representative Campbell, relating to termination of parental rights.

HB 1888, introduced by Representative Stoll, relating to the regulation of pharmacies.

HB 1889, introduced by Representatives Graham (106) and Johnson, to authorize the governor to convey an easement in certain property which is part of the St. Joe State Park in St. Francois County.

HB 1890, introduced by Representatives Evans, Leake, Auer and Copeland, et al, relating to products liability.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 470, entitled:

An act to repeal sections 630.167 and 630.710, RSMo Supp. 1997, relating to the confidentiality of certain mental health records, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 761, entitled:

An act to repeal section 169.322, RSMo 1994, and sections 169.324, 169.326 and 169.328, RSMo Supp. 1997, relating to certain school retirement systems, and to enact in lieu thereof four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 517, entitled:

An act to amend chapter 357, RSMo, by adding one new section relating to housing cooperatives.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 719, entitled:

An act to repeal section 443.415, RSMo 1994, relating to mortgage insurance, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 722, entitled:

An act to amend chapter 375, RSMo, by adding thereto one new section relating to consideration of domestic violence in insurance policies, with an effective date.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, March 5, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Second Day, Tuesday, March 3, 1998, Page 405, Line 2, by deleting the word "employee" and inserting in lieu thereof the word "employer".

Pages 400 and 401, roll call, by showing Representatives Copeland and Gibbons voting "aye" rather than "absent with leave".

Page 405, roll call, by showing Representative Franklin voting "no" rather than "absent with leave".

Page 405, roll call, by showing Representatives Hickey and Hoppe voting "aye" rather than "absent with leave".

Pages 407 and 408, roll call, by showing Representative Davis (63) voting "no" rather than "absent with leave".

Pages 407 and 408, roll call, by showing Representative Nordwald voting "aye" rather than "no".

COMMITTEE MEETINGS

AGRICULTURE

Thursday, March 5, 1998. North side gallery upon adjournment.

To be considered - Executive Session - HB 1859, Executive Session - HB 1876

BUDGET

Thursday, March 5, 1998, 8:30 am. Hearing Room 9. Appropriation bill mark

up HB 1005 through 1012. Executive session.

BUDGET

Thursday, March 5, 1998. Hearing Room 9 upon morning adjournment.

Appropriation Bill mark up HB 1005 through HB 1012. Executive session.

ELECTIONS

Thursday, March 5, 1998, 9:00 am. Hearing Room 7.

To be considered - Executive Session - HB 1628, Executive Session - HB 1499,

Executive Session - HB 1483, Executive Session - HB 1381

ENVIRONMENT AND ENERGY

Thursday, March 5, 1998, 8:30 am. Hearing Room 6.

To be considered - HB 1580

GOVERNMENTAL ORGANIZATION AND REVIEW

Thursday, March 5, 1998. Side gallery upon adjournment. Executive session.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, March 9, 1998, 3:30 pm. Hearing Room 7. Constested fiscal notes.

To be considered - HB 990, HB 1637

PROFESSIONAL REGISTRATION & LICENSING

Monday, March 9, 1998, 3:00 pm. Hearing Room 5.

To be considered - Executive Session - HB 1034, Executive Session - HB 1862

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Thursday, March 5, 1998, 9:30 am. Hearing Room 5.

To be considered - Executive Session - HB 1476, Executive Session - HB 1337,

Executive Session - HB 1684

URBAN AFFAIRS

Tuesday, March 10, 1998, 8:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - HB 1685, HB 1868

UTILITIES REGULATION

Thursday, March 5, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1848, Executive Session - HB 988,

Executive Session - HB 1429, Executive Session - HB 1506

WAYS AND MEANS

Thursday, March 5, 1998. Hearing Room 6 upon morning adjournment.

Executive session.

HOUSE CALENDAR

Thirty-fourth Day, Thursday, March 5, 1998

HOUSE BILLS FOR SECOND READING

HB 1887 through HB 1890

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 32 - Days

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HB 1001 - Green

HCS HB 1002 - Lakin

HCS HB 1003 - Lakin

HCS HB 1004 - Green

HOUSE BILLS FOR PERFECTION

HCS HB 1601,1591,1592,1479 & 1615 - Treadway

HCS HB 1095 - Smith

HB 1240 - Parker

HCS HB 1323 - Green

HB 1229 - Copeland

HCS HB 1681 & 1342 - Koller

HCS HB 1455 & 1463 - O'Toole

HB 1694, HCA 1 - Gaw

HCS HB 1434 - Thomason (163)

HCS HB 1038 - Carter

HB 1070 - Barry

HB 1322, HCA 1 - Foley

HCS HB 1526 - May (108)

HCS HB 1143 - Mays (50)

HCS HB 1636 - Hoppe

HCS HB 1198 - Auer

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR THIRD READING

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1094, 1213, 1311 & 1428, (Budget Fiscal 2-19-98) - Treadway

HCS HB 1197, (Budget Fiscal 2-24-98) - Gunn

HCS HB 1315, (Budget Fiscal 2-24-98) - Dougherty

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HS HCS HB 1161, E.C. (Budget Fiscal 3-3-98) - Wiggins

SENATE BILLS FOR SECOND READING

SCS SB 470

SB 761

SB 517

SCS SB 722

SB 719

COURTESY RESOLUTIONS

HR 308 - Backer

HR 310 - Klindt

HR 311 - Foster

HR 312 - Merideth

HR 313 - Boatright

HR 314 - Donovan

HR 315 - Hartzler (124)

HR 316 - Boucher

HR 317 - Gibbons

HR 318 through HR 320 - Skaggs

HR 321 - Ford

HR 322 - Shear

HR 323 and HR 324 - Wannenmacher

HR 326 - Bartelsmeyer

HR 327 - Hartzler (124)

HR 328 - Bland

HR 329 - Ridgeway

HR 330 and HR 331 - Kreider

HR 332 - Scheve

HR 333 and HR 334 - Davis (122)

HR 335 - Shields

HR 336 - Bland

HR 337 - Bartelsmeyer

HR 338 - Green

HR 339 - Bartelsmeyer

HR 340 - Ross



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House Journal

Second Regular Session, 89th General Assembly

THIRTY-FOURTH DAY, Thursday, March 5, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

As we draw this week to a close, O God, let us look back with a sense of accomplishment for the things done well and correctly. Let us look back on this week and release to experience the things that were done poorly or incorrectly, recognizing that we bring many expectations to the work we do. Help us examine each day's work with the understanding that not all of our expectations are going to be met. Let us accept responsibility for those expectations, the realistic and unrealistic ones.

God, You give us life a moment at a time, and yet we live it as if we were going to live forever. Give us insight into our minutes and hours, days and weeks so that we use them wisely.

Take us all through this weekend safely - give us time to rest our bodies and our minds; give us family time and friend time; give us alone time and together time; and be with us with each beat of our hearts as we live in Your love.

In our prayers, O God, those both spoken and unspoken, let us be always mindful before whom we stand. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Erin Warner, Julie Weik, Kevin Murphy, Craig Hermann, Trip Sternberg, Kristina Weger, Derrick Christian, Jessielyn Eulalia, Ksenya Nicolaievna Lepeshko, Ali Raye Caldwell, Kyle Short, Rachel Caldwell, Dustin Schmidt, Trevor Horner, Tony Wheeler, Jr., Trista Berry, Jodi Gold, Sarah Jeffries, Jennifer Camp, Kerri Albricht, Hank Yoakum, Jerry Baker, Matthew Warner, Tara Tindle, Britney Inman, Baktigul Kurmanbekovna Turdubekova, Ekaterina Ryazantseva, Maxim Kunakhovich, Matthew Andrews, Parker Anderson, Dustina Orr, Stephanie Gold and Camille Segard.

The Journal of the thiry-third day was approved as corrected

RESOLUTIONS

Representatives Bartelsmeyer and Gaskill offered House Resolution No. 358, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Farnen offered House Resolution No. 359, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 360 and House Resolution No. 361, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution No. 362, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Harlan offered House Resolution No. 363, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Reynolds and Donovan offered House Resolution No. 364, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution No. 365, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Liese offered House Resolution No. 366, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hollingsworth offered House Resolution No. 367, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution Nos. 368 and House Resolution No. 369, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution No. 308, House Resolution No. 310 through House Resolution No. 324 and House Resolution No. 326 through House Resolution No. 340 were taken up by Representative Backer.

On one motion of Representative Backer, House Resolution No. 308, House Resolution No. 310 through House Resolution No. 324 and House Resolution No. 326 through House Resolution No. 340 were adopted.

SECOND READING OF HOUSE BILLS

HB 1887 through **HB 1890** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 470, SB 761, SB 517, SCS SB 722 and **SB 719** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1095, relating to governmental meetings and records, was taken up by Representative Smith.

Representative Smith offered **HS HCS HB 1095**.

Representative Backer offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 2, Section 610.010, Line 15 of said page, by inserting immediately after the word "capacity," the following:

"**including any nonpartisan judicial commission as provided for in sections 25(a) to 25(g) of article V of the Missouri Constitution**"; and

Further amend said bill, Page 11, Section 610.021, Line 5 of said page, by inserting immediately after the word "public." the following: "**The provisions of this subdivision do not apply to the appointment process for a judge by any nonpartisan judicial commission as provided for in sections 25(a) to 25(g) of article V of the Missouri Constitution.**".

Representative Smith raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Baker, House Amendment No. 1 was adopted by the following vote:

AYES: 088

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bennett Boatright Boucher

Bray 84 Broach Burton Carter Champion

Chrismer Cooper Copeland Crawford Crump

Daniel 42 Evans Foster Franklin Fritts

Froelker Gaskill Graham 24 Gratz Green

Griesheimer Gross Hagan-Harrell Hartzler 123 Hartzler 124

Hegeman Hickey Hilgemann Hohulin Holand

Hoppe Howerton Johnson Kauffman Kissell

Klindt Koller Lakin Lawson Leake

Levin Liese Luetkenhaus Marble McBride

McClelland McLuckie Merideth Nordwald O'Connor

Overschmidt Pouche Purgason Reinhart Robirds

Sallee Scheve Schilling Scott Seigfreid

Shear Sheldon 104 Shields Skaggs Steen

Stoll Surface Thomason 163 Thompson 37 Townley

Treadway Troupe Vogel Wannenmacher Wiggins

Williams 121 Wilson Wooten

NOES: 068

Auer Bartlett Bauer Berkstresser Bland

Bonner Campbell Cierpiot Clayton Daniels 41

Davis 122 Davis 63 Days Dolan Donovan

Dougherty Elliott Farnen Fitzwater Foley

Ford Gaston Gibbons Graham 106 Gunn

Hall Harlan Heckemeyer Hendrickson Hollingsworth

Hosmer Kasten Kelley 47 Kelly 27 Kennedy

Kreider Legan Lograsso Long May 108

Mays 50 Miller Monaco Murphy Murray

Naeger Ostmann Parker Patek Pryor

Ransdall Relford Reynolds Richardson Ridgeway

Rizzo Ross Schwab Secrest Shelton 57

Smith Stokan Stroker Summers Thompson 72

Van Zandt Williams 159 Mr. Speaker

PRESENT: 001

DeMarce

ABSENT WITH LEAVE: 005

Edwards-Pavia Enz Linton Loudon O'Toole

VACANCY: 001

Representative Levin offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 6, Section 610.020, Line 21 of said page, by inserting immediately after the word "meeting," the following: "**including the place where any member of the public governmental body shall participate when a public meeting is conducted utilizing telephonic or electronic communications,**"; and

Further amend said bill, Page 8, Section 610.020, Line 3 of said page, by inserting immediately after the word "**occurs**" the following: "**at any place where a member of the public governmental body is participating unless the member is within fifty miles of the meeting place**".

On motion of Representative Levin, House Amendment No. 2 was adopted.

Representative Relford offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 12, Section 610.021, Line 22, by deleting said line and inserting in lieu thereof the following:

"as such.";

And further amend said bill, page 13, section 610.021, lines 1 to 3 by deleting all of said lines.

Representative Smith offered House Substitute Amendment No. 1 for House Amendment No. 3.

House Substitute Amendment No. 1

for

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 13, Lines 1 to 3 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"**(b) The name and city of residence of any final applicant for employment as executive officer or administrator of entities listed in subdivision (4) of section 610.010;**".

Representative Shields raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 3 is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Smith moved that House Substitute Amendment No. 1 for House Amendment No. 3 be adopted.

Which motion was defeated.

On motion of Representative Relford, House Amendment No. 3 was adopted.

Representative Skaggs offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 1, In the Title, Line 2 of said page, by inserting immediately after the number "610.010," the number "610.011,"; and

Further amend said bill, Page 1, In the Title, Line 8 of said page, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 12 of said page, by inserting immediately after the number "610.010," the number "610.011,"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 16 of said page, by inserting immediately after the number "610.010," the number "610.011,"; and

Further amend said bill, Page 6, Section 610.010, Line 9 of said page, by inserting after all of said line the following:

"610.011. 1. It is the public policy of this state that meetings, records, votes, actions, and deliberations of public governmental bodies be open to the public unless otherwise provided by law. Sections 610.010 to 610.028 shall be liberally construed and their exceptions strictly construed to promote this public policy.

2. Except as otherwise provided by law, all public meetings of public governmental bodies shall be open to the public as set forth in section 610.020, all public records of public governmental bodies shall be open to the public for inspection and copying as set forth in sections 610.023 to 610.026, and all public votes of public governmental bodies shall be recorded as set forth in section 610.015.

3. Any public governmental body or quasi-public governmental body which does not levy or accept the appropriation of public funds from the political subdivision under which it was created is not subject to the provisions of sections 610.010 to 610.030.".

Speaker Pro Tem Kreider assumed the Chair.

Representative Skaggs moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote.

AYES: 008

Carter Copeland Fitzwater Fritts Hoppe
Relford Seigfreid Skaggs

NOES: 140

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Champion Chrismer Cierpiot Clayton Cooper
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Elliott Evans Farnen Foley
Foster Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Levin
Linton Lograsso Long Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor Ostmann Overschmidt
Parker Patek Pouche Purgason Ransdall
Reinhart Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Shear Sheldon 104
Shelton 57 Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

PRESENT: 001

Shields

ABSENT WITH LEAVE: 013

Edwards-Pavia Enz Ford Franklin Leake

Legan Liese Loudon O'Toole Pryor

Thompson 37 Townley Treadway

VACANCY: 001

Representative Relford offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 16, Section 610.026, Line 12, by deleting the brackets on said line.

Representative Smith offered House Substitute Amendment No. 1 for House Amendment No. 5.

House Substitute Amendment No. 1

for

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 16, Lines 11 and 12 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"(1) Fees for copying public records shall not exceed the actual cost of document search and duplication**; the governmental body providing such records shall certify, by a verified writing, that the actual cost of document search and duplication, is fair, reasonable and does not exceed the actual cost incurred by the entity**. Documents may".

On motion of Representative Smith, House Substitute Amendment No. 1 for House Amendment No. 5 was adopted.

Speaker Gaw resumed the Chair.

Representative Rizzo offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 1, In the Title, Line 4, by deleting the word and number "section 610.021" and inserting in lieu thereof the following: "sections 610.021 and 610.200"; and

Further amend said bill, Page 1, In the Title, Line 7, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word and number "section 610.021" and inserting in lieu thereof the following: "sections 610.021 and 610.200"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Lines 6 and 7, by deleting the word and number "and 610.125" and inserting in lieu thereof the following: ", 610.125 and 610.200"; and

Further amend said bill, Page27, Section 610.125, Line 10, by adding after all of said line the following:

"610.200. [All local] **1. Except as provided in subsection 2 of this section all** law enforcement agencies that maintain a daily log or record that lists suspected crimes, accidents, or complaints, shall make available the following information for inspection and copying by the public:

(1) The time, substance, and location of all complaints or requests for assistance received by the agency;

(2) The time and nature of the agency's response to all complaints or request for assistance; and

(3) If the incident involves an alleged crime or infraction:

(a) The time, date, and location of occurrence;

(b) The name and age of any victim, unless the victim is a victim of a crime under chapter 566, RSMo;

(c) The factual circumstances surrounding the incident; and

(d) A general description of any injuries, property or weapons involved.

2. Any law enforcement agency with custody of an accident report shall not release an accident report containing the factual circumstances or general description of any injuries as provided in paragraphs (c) and (d) of subdivision (3) of subsection 1 of this section to a person that is not an interested party. For the purposes of this subsection, an "interested party" is any law enforcement agency, any person who was involved in the accident, the owner of any vehicle involved in the accident, the insurance company, attorney, physician, family member of any person involved in the accident or any member of the news media.".

Representative Gibbons offered House Amendment No. 1 to House Amendment No. 6.

House Amendment No. 1

to

House Amendment No. 6

AMEND House Amendment No. 6 to House Substitute for House Committee Substitute for House Bill No. 1095, Page 3, Section 610.200, Line 1 on page 3, by adding after the word "report" and before the word "shall" the following:

"or incident report, as defined in section 610.100,"; and

Further amend by deleting the words "an accident" and inserting in lieu thereof the word "the"; and

Further amend line 7, from the top of said page, by adding after the word "accident" the words "or incident",

and

line 8, by adding after "accident" the words "or incident", and

line 9, by adding after the word "accident" the words "or incident".

On motion of Representative Gibbons, House Amendment No. 1 to House Amendment No. 6 was adopted.

On motion of Representative Rizzo, House Amendment No. 6, as amended, was adopted.

Representative Van Zandt offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 13, Section 610.021, Line 7, by inserting after the word "interest" the following:

*"**(16) Records relating to municipal hot lines established for the reporting of abuse or wrongdoing.**"*

On motion of Representative Van Zandt, House Amendment No. 7 was adopted.

Representative Gross offered House Amendment No. 8.

House Amendment No. 8 was withdrawn.

Representative Heckemeyer offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 13, Section 610.021, Line 7, by deleting the "." on said line and inserting in lieu thereof ";"; and

further amend said line by inserting immediately after said line the following:

(16) Business plans, contracts, records and activities of a municipal utility subject to this law shall be made public only pursuant to rules and standards as determined by the Public Service Commission.

Representative Heckemeyer moved that House Amendment No. 8 be adopted.

Which motion was defeated.

Representative Relford offered House Amendment No. 9.

House Amendment No. 9

*AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 18, Section 610.027, Line 22, by deleting the brackets around the word "may" and deleting the word "**shall**".*

On motion of Representative Relford, House Amendment No. 9 was adopted by the following vote:

AYES: 095

Akin Alter Backer Ballard Barnett

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Broach Burton

Chrismer Cierpiot Cooper Copeland Crawford

Crump Elliott Evans Fitzwater Ford

Foster Franklin Froelker Gaskill Gibbons

Graham 106 Graham 24 Gratz Griesheimer Gross

Gunn Hartzler 123 Heckemeyer Hegeman Hilgemann

Hohulin Holand Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Klindt Koller Leake Legan Levin

Liese Linton Long Marble Mays 50

McBride McClelland Merideth Miller Monaco

Murphy Naeger Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Sallee

Schwab Scott Secrest Seigfreid Sheldon 104

Shields Skaggs Steen Summers Surface

Thomason 163 Treadway Vogel Wiggins Williams 159

NOES: 055

Auer Barry 100 Bray 84 Campbell Carter

Clayton Daniel 42 Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Dougherty Farnen

Foley Fritts Gaston Green Hagan-Harrell

Hall Harlan Hartzler 124 Hendrickson Hickey

Hollingsworth Kennedy Kissell Kreider Luetkenhaus

May 108 McLuckie Murray O'Connor Ridgeway

Rizzo Robirds Scheve Schilling Shear

Shelton 57 Smith Stokan Stoll Stroker

Thompson 37 Thompson 72 Townley Troupe Van Zandt

Wannenmacher Williams 121 Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 012

Boucher Champion Davis 63 Edwards-Pavia Enz

Lakin Lawson Lograsso Loudon Nordwald

O'Toole Ross

VACANCY: 001

Representative Gibbons offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 3, Section 610.010, Line 11, by adding after the word "appointed" on said line the following:

"by or at the direction of any of the entities and which is authorized to report to any of the above named entities"

On motion of Representative Gibbons, House Amendment No. 10 was adopted.

Representative Gunn offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 10, Section 610.021(1), Line 4, by adding after "agreement" the following:

", unless it is determined there is a reasonable likelihood that disclosure of the terms of the settlement agreement will result in additional claims being asserted against the public governmental body"

Representative Gunn moved that House Amendment No. 11 be adopted.

Which motion was defeated.

Representative Gross offered House Amendment No. 12.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 9, Section 610.021, Line 19, by inserting after the word "vote" the following:

*"**totals**"; and*

*further amend said bill, page 10, line 12, by inserting after the word "vote" the word "**totals**"; and*

*further amend said bill, page 10, line 20, by inserting after the word "vote" the word "**totals**".*

Representative Gross moved that House Amendment No. 12 be adopted.

Which motion was defeated by the following vote:

AYES: 061

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Bland Burton Chrismer

Cierpiot Cooper Crawford Dolan Donovan

Evans Foster Fritts Froelker Gaskill

Gibbons Graham 106 Griesheimer Gross Hartzler 123

Hartzler 124 Hegeman Hohulin Kasten Kauffman

Kelley 47 Kissell Klindt Koller Kreider

Leake Levin Linton Long Marble

McClelland Miller Monaco Ostmann Overschmidt

Patek Purgason Reinhart Reynolds Robirds

Sallee Schwab Secrest Shields Steen

Stroker Summers Surface Thomason 163 Vogel

Wiggins

NOES: 086

Auer Backer Barry 100 Bartlett Bauer

Boatright Bonner Bray 84 Broach Campbell

Carter Champion Clayton Crump Daniel 42

Davis 122 Davis 63 Days DeMarce Dougherty

Elliott Farnen Fitzwater Foley Franklin

Gaston Graham 24 Gratz Green Gunn

Hagan-Harrell Harlan Heckemeyer Hendrickson Hickey

Hilgemann Hollingsworth Hoppe Hosmer Howerton

Johnson Kelly 27 Kennedy Lakin Legan

Lograsso Luetkenhaus May 108 Mays 50 McBride

McLuckie Merideth Murray Naeger O'Connor

Parker Pouche Pryor Ransdall Richardson

Ridgeway Rizzo Ross Scheve Schilling

Scott Seigfreid Shear Sheldon 104 Shelton 57

Skaggs Smith Stokan Stoll Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Wannenmacher Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 015

Boucher Copeland Daniels 41 Edwards-Pavia Enz

Ford Hall Holand Lawson Liese

Loudon Murphy Nordwald O'Toole Relford

VACANCY: 001

Representative Van Zandt offered House Amendment No. 13.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 13, Section 610.021, Line 7, by inserting after the word "interest." the following:

"***(17) Work product of a municipal auditor's office, excluding reports generated by such office.***"

On motion of Representative Van Zandt, House Amendment No. 13 was adopted.

Representative Hosmer offered House Amendment No. 14.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for House Bill No. 1095, Page 23, Section 610.100, Line 10, by removing the brackets "[ ]" on said line.

On motion of Representative Hosmer, House Amendment No. 14 was adopted.

On motion of Representative Smith, ***HS HCS HB 1095, as amended,*** *was adopted.*

On motion of Representative Smith, ***HS HCS HB 1095, as amended,*** *was ordered perfected and printed by the following vote:*

AYES: 118

Auer Backer Ballard Barnett Barry 100

Bartelsmeyer Bartlett Bauer Berkstresser Bland

Bonner Bray 84 Broach Burton Campbell

Carter Champion Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Davis 122 Davis 63

Days DeMarce Dougherty Elliott Farnen

Fitzwater Foster Franklin Fritts Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Hegeman Hendrickson Hickey

Hilgemann Hollingsworth Hoppe Hosmer Howerton

Johnson Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Leake Legan

Levin Liese Luetkenhaus Marble May 108

Mays 50 McBride McLuckie Merideth Miller

Monaco Murphy Murray O'Connor Overschmidt

Parker Pouche Pryor Ransdall Reinhart

Reynolds Richardson Ridgeway Rizzo Robirds

Sallee Scheve Schilling Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Stokan Stoll Stroker

Summers Surface Thompson 72 Townley Troupe

Van Zandt Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 029

Akin Alter Bennett Boatright Chrismer

Dolan Donovan Evans Foley Froelker

Gross Heckemeyer Hohulin Kasten Kauffman

Kelley 47 Linton Lograsso Long McClelland

Naeger Ostmann Patek Purgason Ross

Schwab Steen Thomason 163 Treadway

PRESENT: 000

ABSENT WITH LEAVE: 015

Boucher Copeland Daniels 41 Edwards-Pavia Enz

Ford Hall Holand Lawson Loudon

Nordwald O'Toole Relford Thompson 37 Vogel

VACANCY: 001

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 325 *- Miscellaneous Bills and Resolutions*

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 17 *- Critical Issues*

HCR 18 *- Critical Issues*

HCR 19 *- Correctional and State Institutions*

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 54 *- Miscellaneous Bills and Resolutions*

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1732 *- Critical Issues*

HB 1751 *- Education - Higher*

HB 1801 *- Governmental Organization and Review*

HB 1824 *- Public Health and Safety*

HB 1865 *- Commerce*

HB 1873 *- Commerce*

HB 1874 *- Public Health and Safety*

HB 1875 *- Education - Elementary and Secondary*

HB 1877 *- Judiciary*

HB 1878 *- Criminal Law*

HB 1879 *- Local Government and Related Matters*

HB 1880 *- Consumer Protection*

HB 1881 *- Motor Vehicle and Traffic Regulations*

HB 1882 *- Education - Higher*

HB 1883 *- State Parks, Natural Resources and Mining*

HB 1884 *- Agriculture*

HB 1885 *- Budget*

HB 1886 *- Education - Elementary and Secondary*

HB 1887 *- Children, Youth and Families*

HB 1888 *- Professional Registration and Licensing*

HB 1889 *- Correctional and State Institutions*

HB 1890 *- Judiciary*

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SBs 707 & 484 *- Commerce*

COMMITTEE REPORTS

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred HB 950, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Agriculture, to which was referred HB 1037, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Agriculture, to which was referred HB 1075, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Agriculture, to which was referred HB 1704, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Agriculture, to which was referred HB 1859, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Agriculture, to which was referred HB 1876, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Banks and Financial Institutions, Chairman Copeland reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred HB 1059, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred HB 1707, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred HB 1794, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred HB 1005, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HB 1006, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HB 1007, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HB 1008, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HB 1009, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HB 1010, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HB 1011, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HB 1012, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred HB 1674, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Consumer Protection, Chairman McLuckie reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred HB 924, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Consumer Protection, to which was referred HB 1380, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Consumer Protection, to which was referred HB 1536, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred HB 898, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Criminal Law, to which was referred HB 931, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Criminal Law, to which was referred HB 1067, HB 1254, HB 1358, HB 1359, HB 1370 and HB 1575, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Criminal Law, to which was referred HB 1239, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Criminal Law, to which was referred HB 1357, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Criminal Law, to which was referred HB 1508, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Criminal Law, to which was referred HB 1566, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Education - Elementary and Secondary, Chairman Stoll reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred HB 955, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred HB 962, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred HB 968, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred HB 1088, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred HB 1272, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred HB 1683, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred HB 1771, begs

leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred HR 117, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Resolution No. 117

WHEREAS, the state of Missouri's higher education system is one of the finest in the nation; and

WHEREAS, a major reason for the system's excellence is the diverse number of public and private institutions that offer associate, bachelor, master, and Ph.D. degrees; and

WHEREAS, a significant number of students earn higher education credits at more than one college or university throughout their academic careers; and

WHEREAS, many students have experienced frustration when transferring from one college or university to another because the credits earned for classes already taken are not accepted at their new institutions; and

WHEREAS, it is also an economic burden on the students and their families when students are forced to pay tuition and fees to re-take classes they have already passed, especially with the increasingly high cost of higher education; and

WHEREAS, this frustration is especially high among students who wish to transfer from community colleges to four-year higher educational institutions, despite the fact that community colleges are the state's gateway to education and play an essential part in Missouri's higher education system; and

WHEREAS, some members of the General Assembly have been contacted by their constituents because of their frustration with the current manner in which transfers between institutions are being handled; and

WHEREAS, it is neither the duty nor desire of the Missouri Legislature to dictate which classes will be accepted for transfer by each institution of higher education; and

WHEREAS, it is acknowledged that the various departments of the state's colleges and universities must have academic freedom, flexibility and independence to flourish; and

WHEREAS, the Coordinating Board for Higher Education is required by state law to establish guidelines to promote and facilitate the transfer of students between institutions of higher education within the state:

NOW,THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, hereby request the following:

1. That the Coordinating Board for Higher Education's Transfer-Articulation Committee, along with the assistance of any interested organizations or committees from any of the state's colleges and universities, update the 1987 Guidelines for Student Transfer and Articulation Among Missouri Colleges and Universities to more accurately reflect the needs of today's students.

2. That the chief administrators (presidents and chancellors) at each college or university encourage their academic deans, faculty chairpersons, and other appropriate decision makers to take an active role in improving the current transfer-articulation agreement and require accountability from these same co-workers.

3. That the presidents and chancellors should also make an improved transfer policy a top priority in actions, not just words, and encourage the elimination of any vestige of academic arrogance that one institution may have toward another.

4. That a special emphasis should be placed on improving transfer agreements between institutions in close geographic proximity to each other since a significant number of transfers take place between such institutions.

5. That the state's universities and colleges should not only improve their communications with each other, but also with their own students. Academic advisory programs should be reformed so that students know beforehand whether a class will transfer from one institution to another and whether that class will apply to their major or will transfer as an elective.

6. That the Commissioner of Higher Education and representatives of the community colleges and four-year institutions should report back to the House Committee on Higher Education before April 27, 1998, so that the members of the Missouri Legislature can be updated on the progress that has been made on this important issue.

House Committee Amendment No. 1

AMEND House Resolution No. 117, Page 2, Line 5, from top of said page, Item 3, by deleting all of said line and inserting in lieu thereof the following:

"just words, and discourage any academic arrogance that one institution may have".

Mr. Speaker: Your Committee on Education - Higher, to which was referred HB 1162, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Education - Higher, to which was referred HB 1222 and HB 1347, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Education - Higher, to which was referred HB 1588, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Elections, Chairman Days reporting:

Mr. Speaker: Your Committee on Elections, to which was referred HB 893, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND House Bill No. 893, Page 2, Section 130.057, Lines 16 and 17, by deleting all of said lines and inserting in lieu thereof the following: "3. Beginning with the primary and general elections in [1996, candidates and other persons may] 1998, candidate committees and all other committees shall file reports [in an] by using either the electronic"; and

Further amend said bill, Page 2, Section 130.057, Line 23, by inserting immediately after the word "candidate" the words "or the committee treasurer"; and

Further amend said bill, Page 2, Section 130.057, Line 30, by inserting immediately after the word "official" the words "or committees".

Mr. Speaker: Your Committee on Elections, to which was referred HB 1381, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Elections, to which was referred HB 1628, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Federal-State Relations and Veterans Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Federal-State Relations and Veterans Affairs, to which was referred HB 1046, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Federal-State Relations and Veterans Affairs, to which was referred HB 1718, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Governmental Organization and Review, Chairman Murray reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred HB 939, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred HB 1120, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred HB 1562, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred HB 1689, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND House Bill No. 1689, Page 2, Section 33.103, Lines 29 - 31, by deleting all of said lines and substituting therefor the following:

(4) Any amount determined to be owed by the employee to the state after a review of an itemized monthly statement and paid receipts provided by such employee showing expenditures incurred by the employee in connection with state business and in accordance with guidelines established by the commissioner of administration and approved by a Joint Oversight Commission of the General Assembly, which shall include notice to the employee and an appeal process pursuant to Chapter 621 of the Missouri statutes; and

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred HB 958, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Insurance, to which was referred HB 964, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Insurance, to which was referred HB 1080, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Insurance, to which was referred HB 1090, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Insurance, to which was referred HB 1374, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1103, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1107, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1163, HB 1211, HB 1225 and HB 1660, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1226, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1228, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1309, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1369, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1444, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1569, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1737 and HB 1345, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1773, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred HB 1139, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Labor, to which was referred HB 1634, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Labor, to which was referred HB 1748, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred HB 1199, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred HB 1553, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND House Bill No. 1553, Page 1, Section 1, Line 13, by inserting after the word "service." the following: "If the voters of the municipality reject the proposal, the municipality shall not submit the same or a similar proposal to the voters of the municipality for at least eighteen months.".

Committee on Motor Vehicle and Traffic Regulations, Chairman Thomason (163) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred HB 1055, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred HB 1092, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred HB 1300, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred HB 1410, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred HB 1626, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Municipal Corporations, Chairman Shelton (57) reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred HB 977 and HB 1608, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred HB 996, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred HB 1361, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred HB 1033, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Retirement, to which was referred HB 1299, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Retirement, to which was referred HB 1384, HB 982 and HB 954, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Retirement, to which was referred HB 1454, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Retirement, to which was referred HB 1599, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Retirement, to which was referred HB 1607, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Retirement, to which was referred HB 1763, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on State Parks, Natural Resources and Mining, Chairman McBride reporting:

Mr. Speaker: Your Committee on State Parks, Natural Resources and Mining, to which was referred HCR 8, begs

leave to report it has examined the same and recommends that it Do Pass.

HOUSE CONCURRENT RESOLUTION NO. 8

Creating the Harry S Truman Tribute Commission; and for other purposes.

WHEREAS, the Honorable Harry S Truman, former President of the United States and U.S. Senator for the state of Missouri, became one of the most honored and well respected leaders of our time; and

WHEREAS, born in Lamar, Missouri, on May 8, 1884, Harry Truman worked on the family farm for over ten years and on June 28, 1919, he married Bess Wallace, a childhood friend, with whom he fathered one child, Mary Margaret; and

WHEREAS, he served in the Missouri National Guard from 1905 to 1911, helped organize the 2nd Regiment of the Missouri Field Artillery, which served in France during World War I and fought valiantly in the campaigns of Vosges, Saint Mihiel and Meuse-Argonne, and eventually rose to the rank of colonel; and

WHEREAS, he earned a reputation for honesty and efficiency as an administrative judge of the Jackson County Court and as presiding judge of Jackson County after his election in 1926 and re-election in 1930; and

WHEREAS, upon his election to the United States Senate in 1934, he saved the taxpayers billions of dollars with his efforts to reform defense contracting practices and greatly improved transportation with the passage of the Civil Aeronautics Act of 1938 and the Transportation Act of 1940; and

WHEREAS, as Vice President, he assumed the Presidency after President Franklin D. Roosevelt passed away on April 12, 1945, and became the 33rd President of the United States; and

WHEREAS, President Truman quickly gained respect as a decisive and responsible world leader as he oversaw the end of World War II in Europe and the development and use of the world's first atomic bomb, saving American lives and bringing a quick end to the war with Japan; and

WHEREAS, he stood steadfast against Soviet expansion and influence, implementing the Truman Doctrine, the Marshall Plan, and the creation of the North Atlantic Treaty Organization; and

WHEREAS, he overcame great odds and left the political pundits dumbfounded with his victorious "Whistlestop Campaign" for re-election in 1948, making famous a photograph whose headline mistakenly proclaimed, "Dewey Defeats Truman"; and

WHEREAS, President Truman fought vigorously for the passage of civil rights legislation, the desegregation of the armed forces, and for legislation banning employment discrimination; and

WHEREAS, President Truman retired from political office in 1953 and settled down in Independence, Missouri, with his beloved Bess and continued to lecture and write until his death on December 26, 1972; and

WHEREAS, Harry S Truman remains to this day one of the most respected presidents in our nation's history, an honest and dedicated public servant and responsible world leader; and

WHEREAS, it is fitting and proper that a tribute be created as a lasting testimony to his contributions to the state of Missouri and to the United States of America:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Eighty-Ninth General Assembly, the Senate concurring therein, hereby create the Harry S Truman Tribute Commission to be composed of six elected members of the Missouri General Assembly as follows: three members shall be state representatives appointed by the Speaker of the House of Representatives, of which no more than two members may be of the same political party; and three members shall be state senators appointed by the

President Pro Tem of the Senate, of which no more than two members may be of the same political party. The commission shall elect one member as chair. The commission is empowered to provide for the creation of an appropriate tribute to the Honorable Harry S Truman. The commission is authorized to select the site on state property where such appropriate tribute shall be placed, provided that the site selected shall be on the grounds of the state capitol or in close proximity thereof. Such tribute shall be financed through voluntary contributions and no state funds shall be expended for such tribute or the work of the commission. The commission is authorized to accept any gift, donation, or grant in furtherance of its purpose and is authorized to work with any private group, organization, association, or corporation having for its purpose the same purpose as the commission created in this resolution. The commission shall meet as soon as practicable after all members have been designated. The commission shall exist until its purpose is accomplished, at which time it shall be abolished.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred HB 907, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred HB 942, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred HB 1587, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred HCR 9, begs leave to report it has examined the same and recommends that it Do Pass.

HOUSE CONCURRENT RESOLUTION NO. 9

WHEREAS, Missouri Highway 21 is located at approximately the same latitude as the Republic of Korea, from 36 to 38 north of the equator; and

WHEREAS, several cities in Missouri along Highway 21 are located at the same approximate latitude as cities in the Republic of Korea: Hillsboro, Missouri and Kumwah, Korea at 38.14; Potosi, Missouri and Chunchon, Korea at 37.56; Ironton, Missouri and Seoul, Korea at 37.36; and

WHEREAS, the veterans who served in the Korean War gave themselves for their country from 1950 to the present day and will always be remembered by their friends and loved ones for their courage and bravery during the Korean War and its aftermath; and

WHEREAS, the veterans of the Korean War and their friends and loved ones will always remember the locations of the defensive stands and offensive maneuvers, the heavy losses and the jubilant victories, including the two losses of Seoul, the defense of Pusan, the recoveries of Seoul, the drive to the objectives of Punchbowl, Bloody Ridge and Heartbreak Ridge, and the final armistice at Panmunjom near the 38th parallel; and

WHEREAS, the losses of United States troops during the Korean War numbered at least 34,000 up through the present day and over 54,000 when including all causes; and

WHEREAS, veterans of the Korean War and other wars should be recognized for their courage and bravery in support of freedom:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-ninth General Assembly, Second Regular Session, the Senate concurring therein, that the Highways and Transportation Commission of the State of Missouri name Highway 21 throughout the state as the Veterans Memorial Highway; and

BE IT FURTHER RESOLVED that the Highways and Transportation Commission of the State of Missouri name the section of Missouri Highway 21 from 10 miles north of the 38th parallel to 10 miles south of the 38th parallel as the

Korean War Memorial Highway; and

BE IT FURTHER RESOLVED that the Missouri Department of Transportation place signs along Highway 21 indicating its designation as the Veterans Memorial Highway and the Korean War Memorial Highway, as well as a plaque at the 38th parallel recalling the events of the Korean War; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Missouri Highways and Transportation Commission, the Governor of Missouri, the Korean War Veterans Association and the Missouri Association of Veterans Organizations.

Mr. Speaker: Your Committee on Transportation, to which was referred HB 1028, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Transportation, to which was referred HB 1511, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred HB 1506, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred HB 1201, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Ways and Means, to which was referred HB 1301, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

COMMITTEE CHANGE

The Speaker submitted the following committee change:

Rep. Griesheimer is no longer a member of the Joint Committee on Legislative Research.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1891, introduced by Representatives Crump, Kreider, Leake, Summers, DeMarce, Parker, Lograsso, Franklin and Gaw, et al, relating to certain weapons offenses.

HB 1892, introduced by Representative Green, relating to regulation of gas and electric companies.

HB 1893, introduced by Representative Hagan-Harrell, relating to the school calendar.

HB 1894, introduced by Representatives McLuckie, DeMarce, Elliott, Gaskill and Merideth, et al, relating to the public service commission.

HB 1895, introduced by Representatives Kreider, Williams (159), Thomason (163), Crump, Copeland, Legan and Heckemeyer, relating to the state soil and water districts commission.

HB 1896, introduced by Representative Shields, relating to public schools.

HB 1897, introduced by Representatives Backer, Crawford and Shields, relating to the crime of panhandling.

HB 1898, introduced by Representatives Lograsso and Cierpiot, relating to public contracts.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 793, entitled:

An act to repeal section 660.078, RSMo 1994, relating to the elderly home delivered meals trust fund, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 870, entitled:

An act to repeal section 630.170, RSMo Supp. 1997, relating to employment under the department of mental health, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HB 1014, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 1998.

With Senate Amendment No. 2

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1014, Page 4, Section 14.045, Line 3, by inserting after the word "Equipment" on said line the following

", for purchase of computer hardware and software relating to computerization

of lobbyist reports, and for no other purpose $187,400

Expense and Equipment, for postage and no other purpose $35,000"

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, March 9, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Third Day, Wednesday, March 4, 1998, pages 418 and 419, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 419 and 420, roll call, by showing Representative Davis (63) voting "aye" rather than "absent with leave".

Pages 420 and 421, roll call, by showing Representative Davis (63) voting "aye" rather than "absent with leave".

Pages 423 and 424, roll call, by showing Representatives Franklin and O'Connor voting "aye" rather than "absent with leave".

Page 425, roll call, by showing Representative O'Connor voting "no" rather than "absent with leave".

Pages 425 and 426, roll call, by showing Representative O'Connor voting "aye" rather than "absent with leave".

Page 432, roll call, by showing Representatives Chrismer and Richardson voting "no" rather than "absent with leave".

Pages 434 and 435, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 436 and 437, roll call, by showing Representative Burton voting "no" rather than "absent with leave".

Pages 437 and 438, roll call, by showing Representative Hoppe voting "no" rather than "absent with leave".

Pages 438 and 439, roll call, by showing Representatives Froelker, Kelley (47), Naeger and Richardson voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, March 10, 1998, 9:00 am. Hearing Room 7. Executive session.

To be considered - HB 1600

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 11, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session to follow.

To be considered - HB 1845, HB 1855

CRITICAL ISSUES

Monday, March 9, 1998, 8:00 pm. Hearing Room 6.

To be considered - HB 1415, HB 1431, HB 1736

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, March 10, 1998. Hearing Room 8 upon morning adjournment.

To be considered - HB 1191, HB 1702, HB 1758, HB 1817

EDUCATION - HIGHER

Monday, March 9, 1998, 3:00 pm. Hearing Room 8.

To be considered - HB 1804, HB 1796, HB 1635

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, March 9, 1998, 3:30 pm. Hearing Room 7. Contested fiscal notes. AMENDED

To be considered - HB 990, HB 1637, HB 948

JUDICIARY

Tuesday, March 10, 1998. Hearing Room 5 upon morning adjournment. AMENDED

To be considered - HB 1834, HB 1808, HB 1043, HB 1799, HB 1579, Executive Session - HB 1627, Executive Session - HB 1043, Executive Session - HB 1834, Executive Session - HB 1808

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 10, 1998, 1:00 pm. Hearing Room 7. Executive session to follow.

To be considered - HB 1221, HB 1541, HB 1730, HB 1825, HB 1778

PROFESSIONAL REGISTRATION & LICENSING

Monday, March 9, 1998, 3:00 pm. Hearing Room 5.

To be considered - Executive Session - HB 1034, Executive Session - HB 1862

URBAN AFFAIRS

Tuesday, March 10, 1998, 8:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - HB 1685, HB 1868

HOUSE CALENDAR

Thirty-fifth Day, Monday, March 9, 1998

HOUSE BILLS FOR SECOND READING

HB 1891 through HB 1898

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 32 - Days

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HB 1001 - Green

HCS HB 1002 - Lakin

HCS HB 1003 - Lakin

HCS HB 1004 - Green

HCS HB 1005 - Green

HCS HB 1006 - Scheve

HCS HB 1007 - Scheve

HCS HB 1008 - Lakin

HCS HB 1009 - Troupe

HCS HB 1010 - Carter

HCS HB 1011 - Troupe

HCS HB 1012, Green - Lakin

HOUSE BILLS FOR PERFECTION

HCS HB 1601,1591,1592,1479 & 1615 - Treadway

HB 1240 - Parker

HCS HB 1323 - Green

HB 1229 - Copeland

HCS HB 1681 & 1342 - Koller

HCS HB 1455 & 1463 - O'Toole

HB 1694, HCA 1 - Gaw

HCS HB 1434 - Thomason (163)

HCS HB 1038 - Carter

HB 1070 - Barry

HB 1322, HCA 1 - Foley

HCS HB 1526 - May (108)

HCS HB 1143 - Mays (50)

HCS HB 1636 - Hoppe

HCS HB 1198 - Auer

HCS HB 1189 - Liese

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR THIRD READING

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1094, 1213, 1311 & 1428 - Treadway

HCS HB 1197, (Budget Fiscal 2-24-98) - Gunn

HCS HB 1315, (Budget Fiscal 2-24-98) - Dougherty

HS HCS HB 1412 - Harlan

HCS HB 1195 - May (108)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HS HCS HB 1161, E.C. (Budget Fiscal 3-3-98) - Wiggins

SENATE BILLS FOR SECOND READING

SB 793

SB 870

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1014, as amended - Franklin

House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives
RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
Frequently Requested Resources
Who is your Representative?
Go
(zip code or zip+4)
Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

THIRTY-FIFTH DAY, Monday, March 9, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"Our days on earth are a shadow." (Job 7:6)

I had a renewed appreciation for those of you who commute here every week when I drove in from St. Louis this morning - good old Missouri and its weather surprises.

I listened to parts of several programs on different radio stations and some news programs. I was amazed at the diversity of concerns that people have, and the variety of issues facing us as a nation and state, including one talk show involving a state senator as the guest.

Gracious God, our hearts go out once again to those most affected by the weather conditions here and in other states. As we go about our work in this week before the spring break, we pause once again in this prayer for the guidance that we need, and the awareness of the variety of issues facing us in this Assembly and the diversity of views we must deal with. May your certain guidance and constancy be a firm support as we deal with them. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Anthony Fauska, Kent Fauska and Sarah Fauska.

The Journal of the thirty-fourth day was approved as corrected by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Elliott Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Clayton Edwards-Pavia Enz Heckemeyer Hegeman

Hoppe Loudon Shear

VACANCY: 001

RESOLUTIONS

Representatives Berkstresser and Robirds offered House Resolution No. 370, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Summers offered House Resolution No. 371, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Treadway offered House Resolution No. 372, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lograsso offered House Resolution No. 373, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Barry offered House Resolution No. 374, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wiggins offered House Resolution No. 375, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution No. 376, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray offered House Resolution No. 377, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Patek offered House Concurrent Resolution No. 21.

SECOND READING OF HOUSE BILLS

HB 1891 through **HB 1898** were read the second time.

SECOND READING OF SENATE BILLS

SB 793 and SB 870 were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HCS HB 1095, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HCS HB 1195 and HS HCS HB 1412, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred HCS HBs 1094, 1213, 1311 & 1428, begs leave to report it has been furnished a corrected fiscal note and does not require Budget Committee fiscal review.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1195 - Budget (Fiscal Note)

HS HCS HB 1412 - Budget (Fiscal Note)

PERFECTION OF HOUSE BILL - INFORMAL CALENDAR

HB 995, relating to high occupancy vehicle lanes, was taken up and placed back on the Informal Calendar.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1014, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt SCS HCS HB 1014, as amended, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HB 1001, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, HB 1001 was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 32, relating to water pollution control bonds, was taken up by Representative Days.

On motion of Representative Days, HJR 32 was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HBs 1601, 1591, 1592, 1479 & 1615, relating to professional registration, was taken up by Representative Treadway.

Representative Treadway offered HS HCS HBs 1601, 1591, 1592, 1479 & 1615.

Representative Koller offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1601, 1591, 1592, 1479 & 1615, Page 26, Section 339.501.5(4), Line 10, by striking the words, "full-time regular", and after the word "employee", add the words, "or agent".

Representative Reynolds offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1601, 1591, 1592, 1479 & 1615, Page 26, Line 12, by inserting after said line the following:

(5) until a county reaches a minimum of 5 (five) state certified or licensed appraisers per the Missouri Appraiser Commission, it shall be exempt from the provisions of 339.501 which requires an independent appraiser,

Representative Reynolds moved that House Substitute Amendment No.1 for House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Koller, House Amendment No. 1 was adopted.

HCS HBs 1601, 1591, 1592, 1479 & 1615, with HS, as amended, pending, was laid over.

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred HB 1231, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred HB 1258, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred HB 1274, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred HB 1556, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred HB 1774, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Correctional and State Institutions, Chairman Crump reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred HJR 35, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred HB 1277 and HB 900, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred HB 998, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred HB 1302, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Social Services, Medicaid and the Elderly, Chairman Gunn reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred HB 1052, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred HB 1097, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred HB 1537, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1899, introduced by Representative Kreider, relating to school finance.

HB 1900, introduced by Representative Patek, relating to the accreditation of schools.

HB 1901, introduced by Representative Patek, relating to sales tax exemption.

COMMITTEE CHANGES

The Speaker submitted the following committee changes:

Representative Thompson (72) has been appointed a member of the Social Services, Medicaid and the Elderly Committee.

Representative Monaco has been appointed a member of the Children, Youth and Families Committee.

WITHDRAWAL OF HOUSE BILL

March 9, 1998

The Honorable Steve Gaw

Speaker of the House

State Capitol - Room 308

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that House Bill 1870 be withdrawn as of today, March 9, 1998. This bill repeals requirement for county auditors to countersign county warrants. Thank you in advance for your time and consideration.

Sincerely,

/s/ Jim Froelker

/s/ John E. Griesheimer

/s/ Francis Overschmidt

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 489, entitled:

An act to repeal section 144.025, RSMo 1994, relating to taxation, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 558, entitled:

An act to repeal section 144.062, RSMo 1994, relating to certain sales tax exemptions, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 634, entitled:

An act to repeal sections 577.020 and 577.041, RSMo Supp. 1997, relating to motor vehicles, and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions and an emergency clause.

Emergency Clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted SCR 36, entitled:

SENATE CONCURRENT RESOLUTION NO. 36.

WHEREAS, the smiling Irish eyes of James "Jimmy" C. Kirkpatrick graced the Secretary of State's office for twenty years, an achievement that bestowed on him the singular honor of having served the citizens of Missouri in statewide office longer than any other officeholder in Missouri history; and

WHEREAS, those smiling Irish eyes of James C. Kirkpatrick stole away the hearts of more than 8.4 million Missouri voters during his career, a record unparalleled by any other Missouri officeholder; and

WHEREAS, throughout his career in public office, James C. Kirkpatrick wore the badges of honor, integrity, and character as nobly and proudly as he wore the Irish green, exemplifying what a special opportunity and privilege public service can be when it is conducted in a context of mutual respect between the officeholder and the citizens represented; and

WHEREAS, as Secretary of State, James C. Kirkpatrick performed the duties of his high office in an innovative, efficient, effective, and responsible manner that maintained public trust and confidence and emphasized fair service to all citizens; and

WHEREAS, the strong leadership of James C. Kirkpatrick extended not only to government, but to education, business, politics, and the media as well as in his continual efforts to improve the quality of life for all Missourians; and

WHEREAS, James C. Kirkpatrick earned the title of Missouri's senior statesman by dedicating his life to the service of others with an enthusiasm for life and a genuine concern for his fellow citizens that elicited the admiration and respect of every Missouri citizen; and

WHEREAS, throughout his life, James C. Kirkpatrick shared his knowledge and wisdom as a mentor to countless government officials and students interested in learning more about government; and

WHEREAS, because of his outstanding public service, both in and out of elective office, James C. Kirkpatrick will be forever known as one of Missouri's most beloved public figures; and

WHEREAS, James C. Kirkpatrick's unprecedented admiration for and dedication to the people of Missouri flowed as freely as his green ink; and

WHEREAS, for 92 years the world seemed bright and gay because the happy Irish heart of James C. Kirkpatrick opened its great humanity to every person he met; and

WHEREAS, during his glorious tenure as Secretary of State, James C. Kirkpatrick established Missouri's first Records Management and Archives Service; and

WHEREAS, in 1991, the Missouri State Information Center was constructed to house that and the other divisions of the Missouri Secretary of State's office that James C. Kirkpatrick administered so magnificently; and

NOW, THEREFORE, BE IT RESOLVED that in tribute and respect to the legacy and service Missouri's most famous Irishman, James C. Kirkpatrick, provided to the citizens of Missouri throughout his life, the members of the Missouri Senate of the Eighty-ninth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby declare the Missouri State Information Center shall hereinafter be known as the James C. Kirkpatrick State Information Center; and

BE IT FURTHER RESOLVED, that the Office of Administration shall be instructed to make appropriate changes to all printed material and signage to reflect this action in commemoration of this great Missourian; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Office of Administration and the Secretary of State's Office.

In which the concurrence of the House is respectfully requested.

The following members' presence were noted: Heckemeyer and Shear.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, March 10, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Fourth Day, Thursday, March 5, 1998, page 447, line 11, by deleting "Baker" and inserting "Backer".

Page 453, roll call, by showing Representatives Champion, Lawson and Ross voting "aye" rather than "absent with leave".

Page 453, roll call, by showing Representative Davis (63) voting "no" rather than "absent with leave".

Pages 454 and 455, roll call, by showing Representative Murphy voting "no" rather than "absent with leave".

Page 456, roll call, by showing Representatives Holand and Lawson voting "aye" rather than "absent with leave".

Page 456, roll call, by showing Representative Purgason voting "aye" rather than "no".

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, March 10, 1998, 9:00 am. Hearing Room 7. Executive session.

To be considered - HB 1600

AGRICULTURE

Wednesday, March 11, 1998. Hearing Room 9 upon morning adjournment.

Executive session may follow.

To be considered - HB 1869

BUDGET

Tuesday, March 10, 1998, 8:30 am. Hearing Room 9. Executive session on previously heard bills.

To be considered - HB 1315, HB 1161

BUDGET

Wednesday, March 11, 1998, 8:30 am. Hearing Room 9. Executive session on previously heard bills.

To be considered - HB 1768, HB 922, HB 1167

CHILDREN, YOUTH, AND FAMILIES

Wednesday, March 11, 1998, 1:00 pm. Hearing Room 8. Possible executive session. AMENDED

To be considered - HB 1822

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 11, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session to follow.

To be considered - HB 1845, HB 1855

CONSUMER PROTECTION

Tuesday, March 10, 1998. Hearing Room 7 upon evening adjournment.

Executive session to follow.

To be considered - HB 1880

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, March 10, 1998, 1:00 pm. House Chamber. Executive session.

CRIMINAL LAW

Wednesday, March 11, 1998, 8:00 pm. Hearing Room 9.

To be considered - HB 1814, HB 1350, HB 1096, HB 1287, HB 1288, HB 1670, HB 1649

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, March 10, 1998. Hearing Room 8 upon morning adjournment.

To be considered - HB 1191, HB 1702, HB 1758, HB 1817

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Monday, March 30, 1998, 10:30 am. Hearing Room 8. Discussion of 1115

Medicaid waiver proposal.

JUDICIARY

Tuesday, March 10, 1998. Hearing Room 5 upon morning adjournment. AMENDED

To be considered - HB 1834, HB 1808, HB 1043, HB 1799, HB 1579,

Executive Session - HB 1627, Executive Session - HB 1043, Executive Session - HB 1834, Executive Session - HB 1808

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 10, 1998, 1:00 pm. Hearing Room 7. Executive session to follow.

To be considered - HB 1221, HB 1541, HB 1730, HB 1825, HB 1778

PROFESSIONAL REGISTRATION & LICENSING

Tuesday, March 10, 1998. Side gallery upon morning adjournment.

To be considered - Executive Session - HB 1034, Executive Session - HB 1862

PUBLIC HEALTH AND SAFETY

Tuesday, March 10, 1998, 12:15 pm. Hearing Room 3 and 4. Executive session may follow.

To be considered - HB 1740, HB 1871, HB 1789

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, March 10, 1998, 7:00 pm. Hearing Room 5. Executive session.

SUB-COMMITTEE ON SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Wednesday, March 11, 1998, 9:30 am. Side gallery.

Organizational meeting on Welfare Reform HB 1337.

TRANSPORTATION

Wednesday, March 11, 1998, 1:00 pm. Hearing Room 5. Executive session to follow.

To be considered - HB 1791, HB 1783, HB 1856

URBAN AFFAIRS

Tuesday, March 10, 1998, 8:00 pm. Hearing Room 1 and 2. Executive session may follow. CANCELLED

To be considered - HB 1685, HB 1868

WAYS AND MEANS

Tuesday, March 10, 1998. Hearing Room 6 upon morning adjournment.

Executive session may follow.

To be considered - HB 910, HB 1249, HB 1271, HB 1417, HB 1835, HB 1837,

HB 1827, HB 1842

HOUSE CALENDAR

Thirty-sixth Day, Tuesday, March 10, 1998

HOUSE BILLS FOR SECOND READING

HB 1899 through HB 1901

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 1002 - Lakin

HCS HB 1003 - Lakin

HCS HB 1004 - Green

HCS HB 1005 - Green

HCS HB 1006 - Scheve

HCS HB 1007 - Scheve

HCS HB 1008 - Lakin

HCS HB 1009 - Troupe

HCS HB 1010 - Carter

HCS HB 1011 - Troupe

HCS HB 1012, Green - Lakin

HOUSE BILLS FOR PERFECTION

HCS HB 1601, 1591, 1592, 1479 & 1615, HS, as amended, pending - Treadway

HB 1240 - Parker

HCS HB 1323 - Green

HB 1229 - Copeland

HCS HB 1681 & 1342 - Koller

HCS HB 1455 & 1463 - O'Toole

HB 1694, HCA 1 - Gaw

HCS HB 1434 - Thomason (163)

HCS HB 1038 - Carter

HB 1070 - Barry

HB 1322, HCA 1 - Foley

HCS HB 1526 - May (108)

HCS HB 1143 - Mays (50)

HCS HB 1636 - Hoppe

HCS HB 1198 - Auer

HCS HB 1189 - Liese

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

HB 1033 - Franklin

HB 1794 - Monaco

HB 1508 - Relford

HB 1037 - Leake

HB 1300 - Kennedy

HB 931 - Carter

HB 898 - Heckemeyer

HB 1239 - Parker

HB 1309 - Clayton

HB 1566 - Johnson

HB 1299 - Skaggs

HB 1301 - Campbell

HB 1097 - Overschmidt

HB 1599 - Clayton

HB 1683 - Fitzwater

HB 968 - Barry

HB 1369 - Smith

HB 1454 - O'Toole

HB 1088 - Boucher

HB 1569 - Seigfreid

HB 1773 - May (108)

HB 1588 - Luetkenhaus

HB 1506 - O'Toole

HB 1763 - Stoll

HB 1055 - Thomason (163)

HB 1052 - Ford

HB 1511 - Koller

HB 1092 - Rizzo

HB 1162 - DeMarce

HB 1059 - Liese

HB 1707 - Liese

HB 1704 - Leake

HB 1562 - Relford

HB 1120 - Griesheimer

HB 1226 - May (108)

HB 1587 - Luetkenhaus

HB 1374 - Scheve

HB 1859 - Thomason (163)

HB 950 - Leake

HB 1228 - May (108)

HB 1748 - Wannenmacher

HB 996 - Kennedy

HB 1444 - May (108)

HB 1046 - O'Toole

HB 1080 - Auer

HB 1410 - Luetkenhaus

HB 1274 - Farnen

HB 1556 - Dougherty

HB 1272 - Holand

HB 1103 - May (108)

HB 1201 - Summers

HB 1607 - Richardson

HB 1107 - May (108)

HB 1718 - Chrismer

HB 1357 - Broach

HB 1090 - Auer

HB 955 - Lograsso

HOUSE BILLS FOR THIRD READING

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1094, 1213, 1311 & 1428 - Treadway

HCS HB 1197, (Budget Fiscal 2-24-98) - Gunn

HCS HB 1315, (Budget Fiscal 2-24-98) - Dougherty

HS HCS HB 1412, (Budget Fiscal 3-9-98) - Harlan

HCS HB 1195, (Budget Fiscal 3-9-98) - May (108)

HS HCS HB 1095 - Smith

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HS HCS HB 1161, E.C. (Budget Fiscal 3-3-98) - Wiggins

SENATE BILLS FOR SECOND READING

SCS SB 489

SB 558

SCS SB 634

BILLS CARRYING REQUEST MESSAGES

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Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

THIRTY-SIXTH DAY, Tuesday, March 10, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"The words of (our) lips are deep waters, but the source of wisdom is a flowing brook...the fool's mouth is his ruin, his lips area snare to his life." (Prov. 18: 4-7)

Today is the 122nd anniversary of the invention of the telephone. We marvel at the advances which have been made since then and the uses which have been made of that medium.

This morning gracious God, we rejoice in the gift of the telephone and its many uses today as well as the extension of the technology which allows us to communicate in ways that are as marvelous for us as the telephone was one hundred years ago.

We thank You for the kind words, the beautiful speech which we have enjoyed, thanks to the telephone. We ask forgiveness for the words which hurt or destroyed. We are fearful of the use of the telephone which leads to abuses of power and is used for crime. We sometimes wonder if our conversations are as private as we want them to be. We also remember that two thirds of the people of the world have never used a telephone so we are mindful of the obligations to use our advanced technology and resources in loving service for others as we also remind ourselves that advanced technology is not the same as advanced civilization. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Travis Kennedy, Amber Whited, Julie Belnap, Mindy Cissell, Niral Patel, T.J. Mouser, Tony Cusumano, Brett Webb, Mallory Gittemeier, Joseph D. Quinn III, Joseph Colbert, Julie Moss, Bob Blankenship and Bill Gepford.

The Journal of the thirty-fifth day was approved as corrected.

RESOLUTIONS

Representative Barry offered House Resolution No. 378, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 379, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Clayton and Leake offered House Resolution No. 380, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1899 through **HB 1901** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 489, SB 558 and **SCS SB 634** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HBs 1601, 1591, 1592, 1479 & 1615, with HS, as amended, **pending**, relating to professional registration, was again taken up by Representative Treadway.

Representative Treadway offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615, Page 1, In the Title, Line 2, by deleting the comma after the number "337.025" and inserting in lieu thereof the word "and"; and

Further amend said bill, Page 1, In the Title, Lines 3, 4 & 5, by deleting all of said lines; and

Further amend said bill, Page 1, In the Title, Line 6, by deleting the following: "339.545,"; and

Further amend said bill, Page 1, In the Title, Line 7, by deleting the following: ", 337.045 and 339.507" and inserting in lieu thereof the following: "and 337.045"; and

Further amend said bill, Page 1, In the Title, Line 10, by deleting the word "forty-one" and inserting in lieu thereof the word "twenty-three"; and

Further amend said bill, Page 1, Section A, Line 14, by deleting the following: ", 337.033, 339.500" and inserting in lieu thereof the following: "and 337.033"; and

Further amend said bill, Page 1, Section A, Lines 15 & 16, by deleting all of said lines; and

Further amend said bill, Page 1, Section A, Line 17, by deleting the following: ", 337.045 and 339.507" and inserting in lieu thereof the following: "and 337.045"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the following: "339.500, 339.501, 339.503," and inserting in lieu thereof the following: "339.501,"; and

Further amend said bill, Page 1, Section A, Line 21, by deleting all of said line; and

Further amend said bill, Page 2, Section A, Line 1, by deleting all of said line; and

Further amend said bill, Page 2, Section A, Line 2, by deleting the following: "339.546, 339.549"; and

Further amend said bill, Page 24, Section 339.500, Lines 7, 8 & 9, by deleting all of said section; and

Further amend said bill, Pages 26 to 66, Sections 339.503, 339.505, 339.507, 339.509, 339.511, 339.513, 339.515, 339.517, 339.519, 339.523, 339.527, 339.529, 339.530, 339.532, 339.545, 339.546 and 339.549, by deleting all of said sections.

On motion of Representative Treadway, House Amendment No. 2 was adopted.

Representative Carter offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1279 & 1615, Page 1, In the Title, Line 6, by inserting after the word "sections" the following: "329.140,"; and

Further amend said bill, Page 1, In the Title, Line 10, by deleting the word "forty-one" and inserting in lieu thereof the word "forty-two"; and

Further amend said bill, Page 1, Section A, Line 17, by inserting after the word "sections" the following: "329.140,"; and

Further amend said bill, Page 1, Section A, Line 18, by deleting the word "forty-one" and inserting in lieu thereof the word "forty-two"; and

Further amend said bill, Page 1, Section A, Line 19, by inserting after the word "sections" the following: "329.140,"; and

Further amend said bill, Page 2, Section A, Line 3, by inserting after all of said line the following:

"329.140. 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use or illegal possession of any controlled substance, as defined in chapter 195, RSMo; use of an alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or

required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid license if so required by this chapter or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

4. The board, acting upon its own knowledge or written or verified complaint filed by any person, may discipline a person as provided in subsections 1 to 3 of this section or the board may bring an action to enjoin any person, firm or corporation from engaging in an occupation regulated by the provisions of this chapter, if such person, firm or corporation without being licensed to do so by the board, engages in or practices an occupation licensed pursuant to this chapter. The action shall be brought in the county in which such person resides, or, in the case of a firm or corporation, where the firm or corporation maintains its principal office; and, unless it appears that such person, firm or corporation so engaging or practicing such occupation is licensed, the injunction shall be issued, and such person, firm or corporation shall be perpetually enjoined from engaging in such activities throughout the state.

5. The owner of any cosmetology establishment, who employs any unlicensed person who engages in or practices an occupation which is regulated by this chapter, shall have the license for such establishment suspended for a period of six months. If the same establishment has a second or any subsequent violation of this provision, the license for such establishment shall be revoked.".

On motion of Representative Carter, House Amendment No. 3 was adopted.

On motion of Representative Treadway, **HS HCS HBs 1601, 1591, 1592, 1479 & 1615, as amended,** was adopted.

On motion of Representative Treadway, **HS HCS HBs 1601, 1591, 1592, 1479 & 1615, as amended,** was ordered perfected and printed.

HB 1240, relating to Missouri wine, was taken up by Representative Parker.

Representative Parker offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1240, Page 1, Section 275.460, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"**(1) "Commercial producer", an individual or legal entity in this state who has a Missouri manufacturer's license for the production of wine;**".

On motion of Representative Parker, House Amendment No. 1 was adopted.

Representative Froelker offered House Amendment No. 2.

House Amendment No. 2 was withdrawn.

Representative Scheve offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 1240, Page 3, Section 311.554, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"311.554. 1. In addition to the charges imposed by section 311.550, there shall be paid to and collected by the director of revenue for the privilege of selling wine, an additional charge of six cents per gallon or fraction thereof. The".

On motion of Representative Scheve, House Amendment No. 2 was adopted by the following vote:

AYES: 081

Akin Alter Auer Ballard Barnett

Barry 100 Bauer Bennett Bland Boatright

Boucher Broach Burton Campbell Carter

Champion Chrismer Cierpiot Cooper Copeland

Daniel 42 Daniels 41 Davis 63 Days Edwards-Pavia

Elliott Evans Foley Ford Gaston

Gibbons Graham 106 Green Gross Hagan-Harrell

Hartzler 124 Hegeman Hendrickson Hohulin Hoppe

Howerton Kelley 47 Kelly 27 Kennedy Kissell

Lawson Legan Levin Liese Linton

Lograsso Loudon Luetkenhaus Mays 50 Merideth

Murphy Murray O'Connor Patek Pouche

Richardson Ridgeway Rizzo Ross Scheve

Schwab Scott Shelton 57 Shields Smith

Stroker Summers Surface Thompson 37 Thompson 72

Treadway Troupe Vogel Wannenmacher Wooten

NOES: 077

Backer Bartelsmeyer Bartlett Berkstresser Bray 84

Clayton Crawford Crump Davis 122 DeMarce

Dolan Donovan Dougherty Farnen Fitzwater

Foster Franklin Fritts Froelker Gaskill

Graham 24 Gratz Griesheimer Gunn Hall

Harlan Hartzler 123 Heckemeyer Hilgemann Holand

Hollingsworth Hosmer Johnson Kasten Kauffman

Klindt Koller Kreider Lakin Leake

Long Marble May 108 McBride McClelland

McLuckie Miller Monaco Naeger Nordwald

O'Toole Ostmann Overschmidt Parker Pryor

Purgason Ransdall Reinhart Relford Reynolds

Robirds Sallee Schilling Seigfreid Shear

Sheldon 104 Skaggs Steen Stokan Stoll

Thomason 163 Townley Van Zandt Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 004

Bonner Enz Hickey Secrest

VACANCIES: 001

HB 1240, as amended, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1014, as amended** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 649**, entitled:

An act to repeal section 301.142, RSMo Supp. 1997, relating to license plates for the physically disabled, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken

up and passed **SCS SB 820**, entitled:

An act to repeal section 67.1000, as enacted by conference committee substitute for senate committee substitute for house committee substitute for house bill no. 3 of the second extraordinary session of the eighty-ninth general assembly, relating to local tourism taxes of municipalities and other political subdivisions, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency Clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 842**, entitled:

An act to repeal section 217.360, RSMo Supp. 1997, relating to offenses committed on the premises of correctional centers, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

RESOLUTIONS

Representatives Richardson and Foster offered House Resolution No. 381, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Foster offered House Resolution No. 382, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 383, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McLuckie offered House Resolution No. 384, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Kelly (27) and Fitzwater offered House Resolution No. 385, which was referred to the Committee on Miscellaneous Bills and Resolutions.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 32 - Budget (Fiscal Note)

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HB 1095 - Budget (Fiscal Note)

PERFECTION OF HOUSE BILL

HB 1240, **as amended**, relating to Missouri wine, was again taken up by Representative Parker.

Representative Howerton offered House Amendment No. 3.

Representative Parker raised a point of order that House Amendment No. 3 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Schilling offered House Amendment No. 3.

Representative Parker raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered House Amendment No. 3.

House Amendment No. 3

AMEND House Bill No. 1240, Page 2, Section 275.466, Line 11, by inserting immediately after the word "**for**" the word "**reasonable**"; and

Further amend said bill, Page 3, Section 275.468, Line 3, by deleting the word "**fifteenth**" and inserting in lieu thereof the word "**thirty-first**"; and

Further amend said bill, Page 3, Section 311.554, Lines 15 and 16, by deleting all of said lines and inserting in lieu thereof the following:

"3. This section shall become effective January 1, 1984, and shall terminate on October 1, [2001] **2006**.".

Representative Parker requested a division of the question.

House Amendment No. 3

PART I

AMEND House Bill No. 1240, Page 2, Section 275.466, Line 11, by inserting immediately after the word "**for**" the word "**reasonable**"; and

Further amend said bill, Page 3, Section 275.468, Line 3, by deleting the word "**fifteenth**" and inserting in lieu thereof the word "**thirty-first**"; and

On motion of Representative Froelker, Part I of House Amendment No. 3 was adopted.

House Amendment No. 3

PART II

AMEND House Bill No. 1240, Page 3, Section 311.554, Lines 15 and 16, by deleting all of said lines and inserting in lieu thereof the following:

"3. This section shall become effective January 1, 1984, and shall terminate on October 1, [2001] **2006**.".

Representative Froelker moved that Part II of House Amendment No. 3 be adopted.

Which motion was defeated.

On motion of Representative Parker, **HB 1240, as amended,** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1002, relating to appropriations, was taken up by Representative Lakin.

Representative Franklin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1002, Page 2, Section 2.020; Line 8, by deleting said section and inserting in lieu thereof the following:

"Section 2.020. To the Department of Elementary and Secondary Education

For the purpose of funding distributions to the free public schools under the School Foundation Program as provided in Chapter 163 RSMo as follows: At least One Billion, Three Hundred Fifty-Four Million, Nine Hundred Ten Thousand, Nine Hundred Sixty Dollars ($1,354,910,960) for the Equity Formula; and not more than: Two Hundred Five Million, Five Hundred Thousand Dollars ($205,500,000) for Line 14 At-Risk Program; One Hundred Nineteen Million, Five Hundred Ninety-Six Thousand, Five Hundred Twenty-Five Dollars ($119,596,525) for Transportation; One Hundred Thirty-Nine Million, Six Hundred Seventeen Thousand, Nine Hundred Eighty-Two Dollars ($139,617,982) for Special Education; Eleven Million, Ninety-Six Thousand, Nine Hundred Twenty-Five Dollars ($11,096,925) for Remedial Reading; Forty-Two Million, Seven Hundred Twenty-One Thousand, Seven Hundred Twenty-Two Dollars ($42,721,722) for Early Childhood Special Education; Twenty-One Million Dollars ($21,000,000) for Gifted Education; Thirty-Six Million, Forty-Eight Thousand, Five Hundred Twenty-Four Dollars ($36,048,524) for Career Ladder; Fifty-Two Million, Seventy-Seven Thousand, Five Hundred Twenty-Eight Dollars ($52,077,528) for Vocational Education; Twenty-Seven Million, Two Hundred Four Thousand, Six Hundred Fifty-One Dollars ($27,204,651) for Early Childhood Development; and Forty-Two Million, Six Hundred Seventy-Nine Thousand, One Hundred Sixty-Four Dollars ($42,679,164) for Personal Service and/or Expense and Equipment for State Board of Education operated School Programs

From General Revenue Fund $124,661,920
From Outstanding Schools Trust Fund 442,682,897 E
From State School Moneys Fund 1,438,150,053
From Lottery Proceeds Fund 46,959,111

Total (Not to exceed 872.24 F.T.E.) $2,052,453,981"

Representative Leake offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1002, Section 2.020, Line 10, by deleting the following: One Hundred Nineteen Million, Five Hundred Ninety-Six Thousand, Five Hundred, Twenty-Five Dollars ($119,596,525) and inserting in lieu thereof the following: One Hundred Twenty Million, Five Hundred Ninety-Six, Five Hundred Twenty-Five ($120,596,525) Dollars" and further amend said amendment, page 2, by deleting the following: "From General Revenue Fund. . . . . $124,661,920"

and inserting the following "From General Revenue Fund. . . . . $125,661,920";

and further amend said amendment by deleting the following:

"Total (Not to exceed 872.24 F.T.E.) . . . . . .$2,052,453,981"

and inserting in lieu thereof the following:

"Total (Not to exceed 872.24 F.T.E.). . . . . $2,053,453,981"

Representative Lakin offered House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1002, Page 2, Section 2.020; Line 8, by deleting said section and inserting in lieu thereof the following:

"Section 2.020. To the Department of Elementary and Secondary Education

For the purpose of funding distributions to the free public schools under the School Foundation Program as provided in Chapter 163 RSMo as follows: At least One Billion, Three Hundred Fifty-Four Million, Nine Hundred Ten Thousand, Nine Hundred Sixty Dollars ($1,354,910,960) for the Equity Formula; and not more than: Two Hundred Five Million, Five Hundred Thousand Dollars ($205,500,000) for Line 14 At-Risk Program; One Hundred Twenty-Two Million, Five Hundred Ninety-Six Thousand, Five Hundred Twenty-Five Dollars ($122,596,525) for Transportation, provided that $10,351,525 be used for maintenance and repair; One Hundred Thirty-Nine Million, Six Hundred Seventeen Thousand, Nine Hundred Eighty-Two Dollars ($139,617,982) for Special Education; Eleven Million, Ninety-Six Thousand, Nine Hundred Twenty-Five Dollars ($11,096,925) for Remedial Reading; Forty-Two Million, Seven Hundred Twenty-One Thousand, Seven Hundred Twenty-Two Dollars ($42,721,722) for Early Childhood Special

Education; Twenty-One Million Dollars ($21,000,000) for Gifted Education; Thirty-Six Million, Forty-Eight Thousand, Five Hundred Twenty-Four Dollars ($36,048,524) for Career Ladder; Fifty-Two Million, Seventy-Seven Thousand, Five Hundred Twenty-Eight Dollars ($52,077,528) for Vocational Education; Twenty-Seven Million, Two Hundred Four Thousand, Six Hundred Fifty-One Dollars ($27,204,651) for Early Childhood Development; and Forty-Two Million, Six Hundred Seventy-Nine Thousand, One Hundred Sixty-Four Dollars ($42,679,164) for Personal Service and/or Expense and Equipment for State Board of Education operated School Programs

From General Revenue Fund $ 127,661,920

From Outstanding Schools Trust Fund 442,682,897 E

From State School Moneys Fund 1,438,150,053

From Lottery Proceeds Fund 46,959,111

Total (Not to exceed 872.24 F.T.E.) $2,055,453,981"

Representative Shields raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 1 is not a true substitute amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Lakin, House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 1 was adopted by the following vote:

AYES: 089

Auer Backer Bartlett Bauer Bennett

Bland Boucher Bray 84 Campbell Carter

Clayton Copeland Crump Daniel 42 Davis 122

Davis 63 Days DeMarce Donovan Dougherty

Farnen Fitzwater Foley Ford Franklin

Fritts Graham 24 Gratz Green Gunn

Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Johnson

Kauffman Kelly 27 Kennedy Kissell Koller

Kreider Lakin Lawson Leake Liese

Luetkenhaus May 108 Mays 50 McBride McLuckie

Monaco Murray O'Connor O'Toole Overschmidt

Parker Ransdall Relford Reynolds Rizzo

Scheve Schilling Seigfreid Shear Sheldon 104

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Thomason 163 Thompson 37 Thompson 72 Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 070

Akin Alter Ballard Barnett Barry 100

Bartelsmeyer Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Crawford

Dolan Edwards-Pavia Elliott Enz Evans

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Griesheimer Gross Hall Hartzler 123

Hartzler 124 Hegeman Hendrickson Hohulin Howerton

Kasten Kelley 47 Klindt Legan Levin

Linton Lograsso Long Loudon Marble

McClelland Merideth Miller Murphy Naeger

Nordwald Ostmann Patek Pouche Pryor

Purgason Reinhart Richardson Ridgeway Robirds

Ross Sallee Schwab Scott Shields

Steen Summers Surface Townley Treadway

PRESENT: 000

ABSENT WITH LEAVE: 003

Bonner Daniels 41 Secrest

VACANCIES: 001

On motion of Representative Franklin, House Amendment No. 1, as amended, was adopted.

Representative Lograsso made a privileged motion under Rule 73 that ***HCS HB 1002, as amended,*** *be committed to the committee on Budget and requested a roll call vote.*

Which motion was defeated by the following vote:

AYES: 073

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Crawford

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Foster Froelker Gaskill Gaston

Gibbons Graham 106 Griesheimer Gross Hall

Hartzler 123 Hartzler 124 Hegeman Hendrickson Hohulin

Holand Howerton Kasten Kauffman Kelley 47

Klindt Legan Levin Linton Lograsso

Long Loudon Marble McClelland Miller

Murphy Naeger Nordwald Ostmann Patek

Pouche Pryor Purgason Reinhart Richardson

Ridgeway Robirds Ross Sallee Schwab

Scott Sheldon 104 Shields Steen Summers

Surface Townley Wannenmacher

NOES: 085

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Clayton Copeland Crump Daniel 42 Davis 122

Davis 63 Days DeMarce Dougherty Farnen

Fitzwater Foley Ford Franklin Fritts

Graham 24 Gratz Green Gunn Hagan-Harrell

Harlan Heckemeyer Hickey Hilgemann Hollingsworth

Hoppe Hosmer Johnson Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Liese Luetkenhaus May 108 Mays 50

McBride McLuckie Merideth Monaco Murray

O'Connor O'Toole Overschmidt Parker Ransdall

Relford Reynolds Rizzo Scheve Schilling

Seigfreid Shear Shelton 57 Skaggs Smith

Stokan Stoll Stroker Thomason 163 Thompson 37

Thompson 72 Treadway Troupe Van Zandt Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 004

Bonner Daniels 41 Secrest Vogel

VACANCIES: 001

On motion of Representative Lakin, ***HCS HB 1002, as amended,*** *was adopted.*

On motion of Representative Lakin, ***HCS HB 1002, as amended,*** *was ordered perfected and printed.*

HCS HB 1003*, relating to appropriations, was taken up by Representative Lakin.*

On motion of Representative Lakin, ***HCS HB 1003*** *was adopted.*

On motion of Representative Lakin, ***HCS HB 1003*** *was ordered perfected and printed.*

***HCS HB 1004**, relating to appropriations, was taken up by Representative Green.*

Representative Backer offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1004, Page 13, Section 4.200, Line 3, by inserting after the word "administration" the following: ". Provided that no out-state travel shall occur without the following report being provided to the General Assembly.

For any type of road project: a detailed report which shall include, at least, the following information per project:

(1) An individual list of each project;

(2) A project description;

(3) Estimated cost and time-frame for completion of the project, including computation date and computation formula and method;

(4) Update work-in-progress reports for the estimated cost and time-frame for completion of the project;

(5) Actual completed cost and actual time required to finish the project; and

(6) Cost and time overruns associated with the project."

On motion of Representative Backer, House Amendment No. 1 was adopted.

Representative Heckemeyer offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1004, Page 19, Section 4.300, Line 5, by deleting all of said line; and

further amend said section, line 6, by deleting the figure "$544,987" and inserting in lieu thereof the figure "$444,987"; and

further amend said bill, section 4.305, by deleting the figure "500,000" from line 4, and inserting the figure "600,000".

Representative Naeger offered House Substitute Amendment No. 1 for House Amendment

No. 2.

House Substitute Amendment No. 1

for

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1004, Page 19, Section 4.300, Line 5, by deleting all of said lines; and

further amend said section, line 6, by deleting the figure "$544,987", and inserting in lieu thereof the figure "$444,987"; and

further amend said bill, section 4.305, by deletions the figure "500,000" from said line and insert the figure "$2,500,000.00".

Representative Naeger moved that House Substitute Amendment No. 1 for House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 068

Alter Ballard Barnett Bartelsmeyer Bennett

Berkstresser Boatright Broach Burton Chrismer

Cierpiot Cooper Copeland Crawford Dolan

Edwards-Pavia Elliott Enz Evans Foster

Froelker Gaskill Gaston Graham 106 Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hohulin

Howerton Kasten Kelley 47 Kelly 27 Klindt

Lawson Legan Levin Linton Lograsso

Long Loudon Marble Merideth Miller

Naeger Ostmann Patek Pouche Pryor

Purgason Reinhart Richardson Ridgeway Robirds

Ross Sallee Schwab Scott Seigfreid

Shields Steen Summers Surface Thomason 163

Treadway Vogel Williams 159

NOES: 085

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Champion Clayton Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Donovan Farnen

Fitzwater Foley Ford Franklin Fritts

Gibbons Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hickey

Hilgemann Holand Hollingsworth Hoppe Hosmer

Johnson Kauffman Kennedy Kissell Koller

Kreider Lakin Leake Liese Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Monaco Murphy Murray Nordwald O'Toole

Parker Ransdall Relford Reynolds Scheve

Schilling Shear Sheldon 104 Shelton 57 Skaggs

Smith Stokan Stoll Stroker Thompson 37

Thompson 72 Townley Troupe Van Zandt Wannenmacher

Wiggins Williams 121 Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Akin Bonner Daniel 42 Dougherty Hall

O'Connor Overschmidt Rizzo Secrest

VACANCIES: 001

Representative Lograsso requested verification of the Roll Call to adopt House Substitute Amendment No. 1 for House Amendment No. 2.

On motion of Representative Heckemeyer, House Amendment No. 2 was adopted by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Boucher

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Pouche

Pryor Purgason Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 002

Bray 84 Gibbons

PRESENT: 001

Patek

ABSENT WITH LEAVE: 007

Bonner Days Hall May 108 Ransdall

Secrest Thompson 37

VACANCIES: 001

Representative Pryor offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1004, Page 15, Section 4.215, Line 13, by inserting immediately after said line the following:

Construction

From General Revenue Fund $100,000,000

And further amend said section, Line 19, by deleting from said line the figure "$768,004,461" and inserting in lieu thereof the figure "$868,004,461".

Representative Pryor moved that House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 047

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Broach Chrismer Crawford

Dolan Edwards-Pavia Elliott Enz Evans

Foster Froelker Gaskill Gaston Graham 106

Hartzler 123 Hartzler 124 Hendrickson Kasten Klindt

Legan Liese Linton Lograsso Long

Loudon Marble Miller Naeger Ostmann

Patek Pryor Reinhart Richardson Ridgeway

Robirds Sallee Schwab Scott Steen

Summers Townley

NOES: 107

Auer Backer Barry 100 Bartlett Bauer

Bland Boatright Boucher Bray 84 Burton

Campbell Carter Champion Clayton Cooper

Copeland Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dougherty Farnen Fitzwater

Foley Ford Fritts Gibbons Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Heckemeyer Hegeman Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kauffman Kelley 47

Kelly 27 Kennedy Kissell Koller Kreider

Lakin Lawson Leake Levin Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Merideth Monaco Murphy Murray Nordwald

O'Connor O'Toole Overschmidt Parker Pouche

Purgason Ransdall Relford Reynolds Rizzo

Ross Scheve Schilling Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Stokan Stoll Stroker Surface Thomason 163

Thompson 72 Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Bonner Cierpiot Crump Donovan Franklin

Hall Secrest Thompson 37

VACANCIES: 001

Representative Patek offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1004, Page 5, Section 4.005, Line 89, by deleting said line

and inserting in lieu thereof the following:

"From General Revenue 424,467E"

Representative Patek moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 056

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Burton
Chrismer Cierpiot Cooper Crawford Dolan
Edwards-Pavia Elliott Enz Evans Foster
Froelker Gaskill Gaston Gibbons Graham 106
Griesheimer Hartzler 123 Hartzler 124 Hegeman Hendrickson
Hohulin Howerton Klindt Levin Linton
Long Loudon Marble Merideth Naeger
Nordwald Patek Pouche Pryor Purgason
Reinhart Richardson Ridgeway Sallee Schwab
Seigfreid Sheldon 104 Shields Steen Summers
Surface

NOES: 097

Auer Backer Barry 100 Bartlett Bauer
Bland Boucher Bray 84 Campbell Carter
Champion Clayton Copeland Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Donovan
Dougherty Farnen Fitzwater Foley Ford
Franklin Fritts Graham 24 Gratz Green
Gunn Hagan-Harrell Harlan Heckemeyer Hickey
Hilgemann Holand Hollingsworth Hoppe Hosmer
Johnson Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Koller Kreider Lakin Lawson
Leake Legan Liese Luetkenhaus May 108
Mays 50 McBride McClelland McLuckie Miller
Monaco Murphy Murray O'Connor O'Toole
Ostmann Overschmidt Parker Ransdall Relford
Reynolds Rizzo Robirds Ross Scheve
Schilling Shear Shelton 57 Skaggs Smith
Stokan Stoll Stroker Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner Crump Gross Hall Kasten

Lograsso Scott Secrest Thompson 37

VACANCIES: 001

On motion of Representative Green, ***HCS HB 1004, as amended,*** *was adopted.*

On motion of Representative Green, ***HCS HB 1004, as amended,*** *was ordered perfected and printed.*

HCS HB 1005*, relating to appropriations, was taken up by Representative Green.*

Representative Seigfreid offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1005, Page 17, Section 5.368, Line 1, by deleting section 5.368.

Representative Elliott offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No.1

AMEND House Committee Substitute for House Bill No. 1005, Page 17, Section 5.368, Line 2, by deleting lines 2 & 3 and insert the following:

for assistance in the construction of an arena to be used for "Poultry Skirmishes". Said arena will also house the Poultry Fighting Hall of Fame. The Governor shall appoint a 5 member "Select Commission" to establish a proper site for said arena. The Commission shall be instructed to find a proper location that can't actually be found, except by Black Helicopters. Sites in Arkansas and Oklahoma shall be excluded.

Representative Seigfreid raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order not well taken.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Seigfreid moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 059

Akin Barnett Boatright Bray 84 Broach
Burton Clayton Copeland Crawford DeMarce
Edwards-Pavia Elliott Enz Farnen Fitzwater
Froelker Graham 106 Hagan-Harrell Hartzler 124 Heckemeyer
Hegeman Hendrickson Hilgemann Hohulin Hollingsworth
Howerton Klindt Koller Lawson Legan
Linton Lograsso Loudon Marble Merideth
Murphy Naeger Nordwald Patek Pouche
Pryor Purgason Reinhart Richardson Ridgeway
Sallee Schwab Seigfreid Shear Sheldon 104
Shields Smith Surface Thomason 163 Thompson 37
Townley Treadway Williams 159 Wilson

NOES: 098

Alter Auer Backer Ballard Barry 100
Bartelsmeyer Bartlett Bauer Bennett Berkstresser
Bland Boucher Campbell Carter Champion
Chrismer Cierpiot Cooper Crump Daniel 42
Davis 122 Davis 63 Days Dolan Donovan
Dougherty Evans Foley Ford Foster
Franklin Fritts Gaskill Gaston Gibbons
Graham 24 Gratz Green Griesheimer Gross
Gunn Harlan Hartzler 123 Hickey Holand
Hoppe Hosmer Johnson Kauffman Kelley 47
Kelly 27 Kennedy Kissell Kreider Lakin
Leake Levin Liese Long Luetkenhaus
May 108 Mays 50 McBride McClelland McLuckie
Miller Monaco Murray O'Connor O'Toole
Ostmann Overschmidt Parker Ransdall Relford
Reynolds Rizzo Robirds Ross Scheve
Schilling Scott Shelton 57 Skaggs Steen
Stokan Stoll Stroker Summers Thompson 72
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 005

Bonner Daniels 41 Hall Kasten Secrest

VACANCIES: 001

Representative Seigfreid offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1005, Page 17, Section 5.365, Line 1, by deleting section 5.365.

Representative Seigfreid moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 046

Akin Barnett Boatright Broach Burton

Clayton Crawford Elliott Enz Foster

Froelker Gaskill Gaston Graham 106 Hartzler 124

Heckemeyer Hegeman Hendrickson Hohulin Howerton

Klindt Koller Legan Linton Lograsso

Loudon Marble McBride Merideth Murphy

Naeger Patek Pouche Pryor Purgason

Reinhart Richardson Ridgeway Sallee Schwab

Seigfreid Shields Smith Surface Townley

Williams 159

NOES: 108

Alter Auer Backer Ballard Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boucher Bray 84 Campbell Carter

Champion Chrismer Cierpiot Cooper Copeland

Crump Daniel 42 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Evans Farnen Fitzwater Foley Ford

Franklin Fritts Gibbons Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hickey Hilgemann Holand

Hollingsworth Hoppe Johnson Kauffman Kelley 47

Kelly 27 Kennedy Kissell Kreider Lakin

Leake Levin Liese Long Luetkenhaus

May 108 Mays 50 McClelland McLuckie Miller

Monaco Murray Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Ransdall Relford

Reynolds Rizzo Robirds Ross Scheve

Schilling Scott Shear Sheldon 104 Shelton 57

Skaggs Steen Stokan Stoll Stroker

Summers Thomason 163 Thompson 72 Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Bonner Daniels 41 Hall Hosmer Kasten

Lawson Secrest Thompson 37

VACANCIES: 001

On motion of Representative Green, ***HCS HB 1005,*** *was adopted.*

On motion of Representative Green, ***HCS HB 1005,*** *was ordered perfected and printed.*

HCS HB 1006*, relating to appropriations, was taken up by Representative Scheve.*

Representative Scheve offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1006, Page 7, Section 6.056, Line 4, by inserting "E" immediately after the figure "10,925"; and

further amend said bill, page 10, section 6.084, line 1, by deleting the section in its entirety and inserting in lieu thereof the following:

"Section 6.084. To the Department of Agriculture

There is hereby transferred out of the state Treasury, chargeable to General Revenue Fund

One Hundred Thirty Thousand Dollars ($130,000) to the State Fair Fees Fund

From General Revenue Fund $130,000"

and further amend said bill, Section 6.085, line 4, by deleting the figure "461,833" and inserting in lieu thereof the figure "331,833" and further amend said section, line 5, by deleting the figure "703,360" and inserting in lieu thereof the figure "573,360"; and further amend said section, line 10, by deleting the figure "3,918,383" and inserting in lieu thereof the figure "3,791,383".

Representative Hohulin offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Substitute for House Bill No. 1006, Page 7, Section 6.056, Line 4, by deleting the number 10,925.

Representative Hohulin moved House Amendment No. 1 to House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Scheve, House Amendment No. 1 was adopted.

Representative Franklin offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1006, Page 15, Section 6.259, Line 6, by deleting the entire amount "5,000,000" and further amend said section, line 9, by deleting the figure "$10,000,000" and inserting in lieu thereof the figure "$5,000,000".

Representative Franklin moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 049

Auer Barry 100 Bartlett Bauer Bray 84

Burton Carter Clayton Crump Davis 122

Davis 63 Days DeMarce Farnen Fitzwater

Franklin Fritts Graham 24 Gratz Green

Hagan-Harrell Harlan Heckemeyer Hilgemann Hollingsworth

Johnson Kelly 27 Kennedy Leake Liese

May 108 Merideth O'Connor O'Toole Overschmidt

Parker Reynolds Schilling Seigfreid Shear

Smith Stroker Thomason 163 Treadway Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 102

Akin Alter Backer Ballard Barnett

Bartelsmeyer Bennett Berkstresser Bland Boatright

Boucher Broach Campbell Champion Chrismer

Cierpiot Cooper Copeland Crawford Daniels 41

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Foley Ford Foster Froelker

Gaskill Gaston Gibbons Graham 106 Griesheimer

Gross Gunn Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hickey Hohulin Holand Hoppe

Howerton Kasten Kauffman Kelley 47 Kissell

Klindt Koller Lakin Legan Levin

Linton Lograsso Long Loudon Luetkenhaus

Marble Mays 50 McBride McClelland McLuckie

Miller Monaco Murphy Murray Naeger

Nordwald Ostmann Patek Pouche Pryor

Purgason Reinhart Relford Richardson Ridgeway

Rizzo Robirds Ross Sallee Scott

Sheldon 104 Shelton 57 Shields Skaggs Steen

Stokan Stoll Summers Surface Thompson 37

Thompson 72 Townley Troupe Van Zandt Vogel

Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 011

Bonner Daniel 42 Dougherty Hall Hosmer

Kreider Lawson Ransdall Scheve Schwab

Secrest

VACANCIES: 001

Representative Franklin offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1006, Page 15, Section 6.259, Line 1, by deleting said section and inserting in lieu thereof the following:

"Section 6.259. To the Department of Natural Resources

For the Division of State Parks

For the purpose of funding matching grants for local landmark parks

From General Revenue Fund. $2,500,000

For Liberty Memorial in Kansas City

From General Revenue Fund 5,000,000

For the purpose of funding matching grants for local parks

From General Revenue Fund 1,500,000

Total (0 F.T.E) $9,000,000"

On motion of Representative Franklin, House Amendment No. 3 was adopted.

Representative Crump offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1006, Page 25, Section 6.415, Line 8, by deleting the amount "20,000,000" and inserting in lieu thereof the amount "15,000,000" and further amend said section, line 9, by deleting the amount "$20,100,000" inserting in lieu thereof the amount "$15,100,000".

Representative Lograsso offered House Substitute Amendment No. 1 for House Amendment No. 4.

House Substitute Amendment No. 1 for House Amendment No. 4 was withdrawn.

Representative Pryor offered House Substitute Amendment No. 1 for House Amendment No. 4.

House Substitute Amendment No. 1 for House Amendment No. 4 was withdrawn.

***HCS HB 1006, as amended, with House Amendment No. 4, pending**, was laid over.*

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

***SCS HCS HB 1014**: Representatives Franklin, Green, Lakin, Legan and Cooper.*

COMMITTEE REPORTS

***Committee on Budget**, Chairman Franklin reporting:*

*Mr. Speaker: Your Committee on Budget, to which was referred **HB 1564**, begs leave to report it has examined the same and recommends that it **Do Pass.***

***Committee on Criminal Law**, Chairman Hosmer reporting:*

*Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1441, HB 937** and **HB 1795**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.***

***Committee on Local Government and Related Matters**, Chairman Hoppe reporting:*

*Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 944**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

*Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1113**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1149****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1158****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1267****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1293****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1304****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1352****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1392****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1468****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1480****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1531****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1586****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1705****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred ***HB 1734****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Committee on Miscellaneous Bills and Resolutions*, Chairman Foley reporting:*

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred ***HR 38****, begs leave to report it has examined the same and recommends that it* ***Do Pass.***

House Resolution No. 38

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the processes of democratic government through a format of direct role playing experience; and

WHEREAS, during June 21-27, 1998, the American Legion Auxiliary, Department of Missouri, is conducting the 57th annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event would be conducting a mock legislative session in the House Chamber at our State Capitol, where participants gather each year to gain a more realistic insight into official governmental and electoral proceedings:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, hereby grant the adult leaders and participants of the 57th Session of Missouri Girls State permission to use the House Chamber for the purpose of swearing in mock legislative officials on the afternoon of June 23, 1998, from 1:00 p.m. to 3:00 p.m.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred ***HR 130****, begs leave to report it has examined the same and recommends that it* ***Do Pass.***

House Resolution No. 130

WHEREAS, the Missouri House of Representatives recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the House has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all the people of the state of Missouri and to participate in the democratic processes of government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, that the Missouri Catholic Conference be hereby granted permission to use the House Chamber and the House Hearing Rooms from 9:00 a.m. to 5:00 p.m. on September 19, 1998, for the purposes of a citizenship assembly and workshop.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred ***HR 213****, begs leave to report it has examined the same and recommends that it* ***Do Pass.***

House Resolution No. 213

WHEREAS, the General Assembly fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the General Assembly has a long tradition of rendering assistance to those organizations which sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the University Extension 4-H Youth Development Programs, which has become widely recognized for its sponsorship of the Missouri 4-H Citizenship Workshop; and

WHEREAS, the 4-H Citizenship Workshop program provides its participants with a unique insight into the day-to-day operation of our state government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, unanimously grant permission for the University Extension 4-H Youth Development Program to use the eight House hearing rooms for the 4-H Citizenship Workshop on Monday, June 29, 1998, through Wednesday, July 1, 1998, from 8:30 a.m. until 4:00 p.m. each day, and to use the House Chamber for the same purpose on Wednesday, July 1, 1998, between the hours of 9:00 a.m. and 11:30 a.m.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred ***HR 252****, begs leave to report it has examined the same and recommends that it* ***Do Pass.***

House Resolution No. 252

WHEREAS, the General Assembly of the State of Missouri has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects; and

WHEREAS, the Jefferson City Downtown Rotary Club has sought to instill values of high integrity within our youth and to provide an opportunity for Missouri students to experience state government firsthand; and

WHEREAS, the General Assembly has maintained a policy of granting such organizations permission to use the House Chamber for beneficial purposes; and

WHEREAS, this year, the Downtown Rotary Club is sponsoring its annual Student Government Day, an event which will be highlighted by a meeting in the House Chambers at our State Capitol, where the students in attendance will be addressed by a representative of each of the three branches of government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, hereby grant the Jefferson City Rotary Club permission to use the House Chamber for the purpose of conducting its Student Government Day on April 13, 1998, from 10:00 a.m. until 11:30 a.m.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred ***HR 292****, begs leave to report it has examined the same and recommends that it* ***Do Pass.***

House Resolution No. 292

WHEREAS, the Missouri House of Representatives has a long tradition of rendering assistance to those programs aimed at developing outstanding qualities of both citizenship and leadership; and

WHEREAS, the legislative interns of the Missouri General Assembly are interested in gaining an insight into the democratic process by conducting a mock legislative forum in the House Chamber; and

WHEREAS, one of the purposes of the Missouri General Assembly's intern program is to give college students participating in the program a working knowledge of the operation and function of Missouri's legislative bodies in order to better prepare them to pursue related career goals and to fulfill their roles as active and responsible citizens:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, hereby grant the participants of the Legislative and State Official Intern Program permission to use the House Chamber for the purpose of conducting their 1998 Mock Legislative Session from 10:00 a.m. until 1:00 p.m. on Monday, April 6 and Tuesday, April 14, 1998.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred ***HB 1084****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred ***HB 1157****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Committee on Motor Vehicle and Traffic Regulations*, Chairman Thomason (163) reporting:*

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred ***HB 1730****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred ***HB 1802****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Committee on Public Health and Safety*, Chairman Bland reporting:*

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred ***HB 1419****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Committee on Professional Registration and Licensing, *Chairman Treadway reporting:*

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred ***HB 1034****, begs leave to report it has examined the same and recommends that the* ***House Committee Substitute Do Pass.***

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred ***HB 1862****, begs leave to report it has examined the same and recommends that it* ***Do Pass by Consent.***

Committee on Ways and Means*, Chairman Bray reporting:*

Mr. Speaker: Your Committee on Ways and Means, to which was referred ***HB 1248, HB 1461, HB 1502, HB 1529*** *and* ***HB 1530****, begs leave to report it has examined the same and recommends that the* ***House Committee Substitute Do Pass.***

Mr. Speaker: Your Committee on Ways and Means, to which was referred ***HB 1078*** *and* ***HB 1568****, begs leave to report it has examined the same and recommends that the* ***House Committee Substitute Do Pass.***

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1902, introduced by Representative Broach, relating to the regulation and certification of explosive blasters.

HB 1903, introduced by Representatives Green and Kreider, relating to museum districts.

HB 1904, introduced by Representative Griesheimer, relating to regulation of electric utilities.

HB 1905, introduced by Representatives Green and Kreider, relating to museum districts.

HB 1906, introduced by Representatives Gaston, Williams (159) and Leake, et al, relating to livestock.

HB 1907, introduced by Representative Lakin, relating to criminal background checks for health care employees.

HB 1908, introduced by Representative Gaston, relating to public officers and employees.

HB 1909, introduced by Representative Gaston, et al, relating to confidentiality of emergency 911 telephone conversations.

HB 1910, introduced by Representatives Akin and Monaco, relating to property exempt from attachment.

HB 1911, introduced by Representative Froelker, relating to the show-me scholarship.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 827, entitled:

An act to repeal section 135.110, RSMo Supp. 1997, relating to tax credits for economic development purposes, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 828, entitled:

An act to repeal section 33.564, RSMo 1994, relating to the international trade show revolving fund, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 829, entitled:

An act to repeal section 100.255, as enacted by conference committee substitute for house committee substitute for senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly, relating to the definition of a development agency, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 642, entitled:

An act to repeal section 33.103, RSMo Supp. 1997, relating to state financial administration, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Bonner.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, March 11, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Fifth Day, Monday, March 9, 1998, page 479, by deleting lines 5 and 6, and inserting in lieu thereof the following corrected committee report:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred HB 1231, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Committee Amendment No.1

AMEND House Bill No. 1231, Page 2, Section 210.211, Line 31, by inserting after the word "children" the words "outside of federal funds for those programs that meet the requirements for participation in the Child and Adult Care Food Program".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 11, 1998. Hearing Room 9 upon morning adjournment.

Executive session may or may not follow. AMENDED

To be considered - HB 1869, HB 1840

BUDGET

Wednesday, March 11, 1998, 8:30 am. Hearing Room 9.

Executive session on previously heard bills.

To be considered - HB 1768, HB 922, HB 1167

CHILDREN, YOUTH AND FAMILIES

Wednesday, March 11, 1998, 1:00 pm. Hearing Room 8.

Possible executive session. AMENDED

To be considered - HB 1822

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 11, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session to follow.

To be considered - HB 1845, HB 1855

COMMERCE

Wednesday, March 11, 1998, 1:00 pm. Hearing Room 6. Executive session may follow.

To be considered - HB 1486, SB 707

CRIMINAL LAW

Wednesday, March 11, 1998, 8:00 pm. Hearing Room 9.

AMENDED Executive session may follow.

To be considered - HB 1814, HB 1350, HB 1287, HB 1288, HB 1649

EDUCATION - HIGHER

Thursday, March 12, 1998, 9:00 am. Hearing Room 7.

To be considered - Executive Session - HB 1731, Executive Session - HB 1796,

Executive Session - HB 1448

ETHICS

Thursday, March 12, 1998. Side gallery upon adjournment.

Additions to caucuses. Chuck Caucus, Bootheel Caucus.

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Monday, March 30, 1998, 10:30 am. Hearing Room 8. Discussion of 1115

Medicaid waiver proposal.

JUDICIARY

Thursday, March 12, 1998. Side gallery upon morning adjournment.

To be considered - Executive Session - HB 1799, Executive Session - HB 1579

LOCAL GOVERNMENT AND RELATED MATTERS

Wednesday, March 11, 1998. Hearing Room 7 upon morning adjournment.

Executive session may follow.

To be considered - HB 1729, HB 1797, HB 1879, HB 1548, HJR 45, HB 1385,

HB 1767, HB 1721, HB 1739

SUB-COMMITTEE ON SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Wednesday, March 11, 1998, 9:30 am. Side gallery. Organizational meeting

on Welfare Reform HB 1337.

TRANSPORTATION

Wednesday, March 11, 1998, 1:00 pm. Hearing Room 5. Executive session to follow.

To be considered - HB 1791, HB 1783, HB 1856

UTILITIES REGULATION

Thursday, March 12, 1998, 8:30 am. Hearing Room 8. Executive session.

Reconsideration of HB 988.

WAYS AND MEANS

Wednesday, March 11, 1998. Side gallery upon afternoon adjournment.

Executive session.

HOUSE CALENDAR

Thirty-seventh Day, Wednesday, March 11, 1998

HOUSE BILLS FOR SECOND READING

HB 1902 through HB 1911

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 1006, as amended, HA 4, pending - Scheve

HCS HB 1007 - Scheve

HCS HB 1008 - Lakin

HCS HB 1009 - Troupe

HCS HB 1010 - Carter

HCS HB 1011 - Troupe

HCS HB 1012, Green - Lakin

HOUSE BILLS FOR PERFECTION

HCS HB 1323 - Green

HB 1229 - Copeland

HCS HB 1681 & 1342 - Koller

HCS HB 1455 & 1463 - O'Toole

HB 1694, HCA 1 - Gaw

HCS HB 1434 - Thomason (163)

HCS HB 1038 - Carter

HB 1070 - Barry

HB 1322, HCA 1 - Foley

HCS HB 1526 - May (108)

HCS HB 1143 - Mays (50)

HCS HB 1636 - Hoppe

HCS HB 1198 - Auer

HCS HB 1189 - Liese

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(March 10, 1998)

HB 1033 - Franklin

HB 1794 - Monaco

HB 1508 - Relford

HB 1037 - Leake

HB 1300 - Kennedy

HB 931 - Carter

HB 898 - Heckemeyer

HB 1239 - Parker

HB 1309 - Clayton

HB 1566 - Johnson

HB 1299 - Skaggs

HB 1301 - Campbell

HB 1097 - Overschmidt

HB 1599 - Clayton

HB 1683 - Fitzwater

HB 968 - Barry

HB 1369 - Smith

HB 1454 - O'Toole

HB 1088 - Boucher

HB 1569 - Seigfreid

HB 1773 - May (108)

HB 1588 - Luetkenhaus

HB 1506 - O'Toole

HB 1763 - Stoll

HB 1055 - Thomason (163)

HB 1052 - Ford

HB 1511 - Koller

HB 1092 - Rizzo

HB 1162 - DeMarce

HB 1059 - Liese

HB 1707 - Liese

HB 1704 - Leake

HB 1562 - Relford

HB 1120 - Griesheimer

HB 1226 - May (108)

HB 1587 - Luetkenhaus

HB 1374 - Scheve

HB 1859 - Thomason (163)

HB 950 - Leake

HB 1228 - May (108)

HB 1748 - Wannenmacher

HB 996 - Kennedy

HB 1444 - May (108)

HB 1046 - O'Toole

HB 1080 - Auer

HB 1410 - Luetkenhaus

HB 1274 - Farnen

HB 1556 - Dougherty

HB 1272 - Holand

HB 1103 - May (108)

HB 1201 - Summers

HB 1607 - Richardson

HB 1107 - May (108)

HB 1718 - Chrismer

HB 1357 - Broach

HB 1090 - Auer

HB 955 - Lograsso

(March 11, 1998)

HB 1113 - DeMarce

HB 1149 - Campbell

HB 1304 - Foley

HB 1352 - Rizzo

HB 1531 - Hoppe

HB 1392 - Van Zandt

HB 1468 - Reynolds

HB 1507 - Bray

HB 1734 - Backer

HB 1157 - McClelland

HB 1419 - Riback Wilson

HB 1802 - Thomason (163)

HB 1586 - Hosmer

HB 944 - Long

HB 1730 - Townley

HB 1293 - Pouche

HB 1158 - McClelland

HB 1705 - Hoppe

HB 1480 - DeMarce

HB 1267 - Shields

HB 1084 - Vogel

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 32, (Budget Fiscal 3-10-98) - Days

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HB 1001 - Green

HCS HB 1002 - Lakin

HCS HB 1003 - Lakin

HCS HB 1004 - Green

HCS HB 1005 - Green

HOUSE BILLS FOR THIRD READING

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1094, 1213, 1311 & 1428 - Treadway

HCS HB 1197, (Budget Fiscal 2-24-98) - Gunn

HCS HB 1315, (Budget Fiscal 2-24-98) - Dougherty

HS HCS HB 1412, (Budget Fiscal 3-9-98) - Harlan

HCS HB 1195, (Budget Fiscal 3-9-98) - May (108)

HS HCS HB 1095, (Budget Fiscal 3-10-98) - Smith

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HS HCS HB 1161, E.C. (Budget Fiscal 3-3-98) - Wiggins

SENATE BILLS FOR SECOND READING

SB 642

SCS SB 649

SCS SB 820

SB 827

SB 828

SB 829

SB 842

BILL IN CONFERENCE

SCS HCS HB 1014, as amended - Franklin

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House Journal

Second Regular Session, 89th General Assembly

THIRTY-SEVENTH DAY, Wednesday, March 11, 1998

Representative Parker in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Let us pause for these few moments, O God, and reflect - reflect on the things that have made our lives better: the opportunities to receive an education from good teachers, the medical advancements that help us live healthier lives, the opportunities to worship in the tradition of our choice...so many things for which to give thanks.

And yet, in the midst of our blessings, we also recognize that we struggle - we struggle with illness; with the inability to prevent the death of one we love; the injustices that we perpetrate on one another through violence, prejudices, ignorance. We struggle, O God, and ask Your guidance.

Even as these here in this place work each day to better the lives of Missouri's citizens, give them the wisdom to know which battles to fight and which to concede. Give them courage to tackle the tough issues. Give them resolve that in whatever decision they make, Your law of love will be uppermost in the process of making that decision. And grant them the assurance of Your presence. Blessed are You, O God, Creator and Sustainer of the Universe. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mark Ellington, Lindsey Zimmerschied, Sarah Schnakenberg, Luke Mahnken, Emily Pritchard, Erin Matteson, Nathan Haslag, Michael Crocker and Braxton Parker.

The Journal of the thirty-sixth day was approved as corrected.

RESOLUTIONS

Representatives Kauffman and Campbell offered House Resolution No. 386, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Kauffman and McLuckie offered House Resolution No. 387, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Auer, et al, offered House Resolution No. 388.

Representative Patek offered House Resolution No. 389, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1902 through **HB 1911** were read the second time.

SECOND READING OF SENATE BILLS

SB 642, SCS SB 649, SCS SB 820, SB 827, SB 828, SB 829 and SB 842 were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HJR 32, HB 1001, HCS HB 1002, HCS HB 1003, HCS HB 1004 and HCS HB 1005, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred HCS HB 1315 (Fiscal Note), begs leave to report it has examined the same and recommends that it Do Pass.

Speaker Gaw assumed the Chair.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HB 1001, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, HB 1001 was read the third time and passed by the following vote:

AYES: 153

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Boatright Bray 84 Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 001

Akin

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland Bonner Boucher Elliott Heckemeyer

Murphy Richardson Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1002, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, HCS HB 1002 was read the third time and passed by the following vote:

AYES: 142

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bennett Berkstresser

Bland Boatright Boucher Bray 84 Broach

Burton Campbell Carter Champion Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Lakin Lawson Leake Legan

Levin Liese Long Luetkenhaus Marble

Mays 50 McBride McClelland McLuckie Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Pouche

Purgason Ransdall Reinhart Relford Reynolds

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 012

Akin Chrismer Evans Gaston Hall

Hohulin Linton Loudon Merideth Murphy

Patek Pryor

PRESENT: 000

ABSENT WITH LEAVE: 008

Bauer Bonner Cierpiot Kreider Lograsso

May 108 Richardson Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Riback Wilson, title to the bill was agreed to.

Representative Williams (121) moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1003, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, HCS HB 1003 was read the third time and passed by the following vote:

AYES: 146

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Clayton Cooper Copeland Crawford

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Lograsso

Long Luetkenhaus Marble May 108 Mays 50

McBride McClelland Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Ridgeway Rizzo Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 007

Akin Hall Hohulin Linton Loudon

Murphy Robirds

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner Cierpiot Crump Ford Hagan-Harrell

McLuckie Reynolds Richardson Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Stroker, title to the bill was agreed to.

Representative Seigfreid moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1004, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, HCS HB 1004 was read the third time and passed by the following vote:

AYES: 142

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Bland Boucher Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Elliott Enz

Farnen Fitzwater Foley Foster Franklin

Fritts Froelker Gaskill Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Miller Monaco Murray Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Purgason Ransdall Reinhart Relford

Reynolds Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 014

Akin Boatright Bray 84 Edwards-Pavia Evans

Gaston Hall Hohulin Linton Merideth

Murphy Naeger Patek Pryor

PRESENT: 000

ABSENT WITH LEAVE: 006

Bennett Bonner Ford Richardson Scott

Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Ransdall moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HCS HB 1006, as amended, with HA 4, pending, relating to appropriations, was again taken up by Representative Scheve.

On motion of Representative Crump, House Amendment No. 4 was adopted by the following vote:

AYES: 085

Akin Alter Auer Ballard Barry 100

Bartelsmeyer Berkstresser Bray 84 Broach Carter

Champion Copeland Crawford Crump Daniel 42

Daniels 41 Edwards-Pavia Elliott Enz Foley

Ford Foster Gaston Graham 106 Gratz

Green Griesheimer Gunn Hall Heckemeyer

Hendrickson Hickey Hohulin Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Koller Kreider Legan Levin Liese

Linton Lograsso Long Loudon Marble

May 108 Mays 50 McBride McClelland Merideth

Miller Monaco Murphy Murray Naeger

O'Connor O'Toole Overschmidt Parker Pryor

Purgason Ransdall Rizzo Robirds Sallee

Scheve Schilling Schwab Scott Shear

Sheldon 104 Steen Stoll Surface Thomason 163

Townley Treadway Troupe Wannenmacher Williams 159

NOES: 075

Backer Barnett Bartlett Bauer Bennett

Bland Boatright Boucher Burton Campbell

Chrismer Cierpiot Clayton Cooper Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Evans Farnen Fitzwater Franklin

Fritts Froelker Gaskill Gibbons Graham 24

Gross Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Hegeman Hilgemann Holand Kelley 47 Kelly 27

Kennedy Kissell Klindt Lakin Lawson

Leake Luetkenhaus McLuckie Nordwald Ostmann

Patek Pouche Reinhart Relford Reynolds

Ridgeway Ross Secrest Seigfreid Shelton 57

Shields Skaggs Smith Stokan Stroker

Summers Thompson 37 Thompson 72 Van Zandt Vogel

Wiggins Williams 121 Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 002

Bonner Richardson

VACANCIES: 001

Representative Hohulin offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1006, Page 6, Section 6.055, Line 3, by deleting the number 1,904,189 and replacing in lieu thereof the number 1,853,605; and

Further amend said bill, page 6, section 6.055, line 5, by changing the total accordingly.

Representative Hohulin moved that House Amendment No. 5 be adopted.

Which motion was defeated.

Representative Hohulin offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1006, Page 3, Section 6.015, Line 5, by deleting the number 250,000 and replacing in lieu thereof the number 50,000.

Representative Hohulin moved that House Amendment No. 6 be adopted.

Which motion was defeated.

Representative Hohulin offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1006, Page 5, Section 6.040, Line 5, by deleting the number "925,460" and replacing with "887,960"; and

Further amend said bill, page 5, section 6.040, line 5, by replacing the number "1,635,206" with the number "597,706".

Representative Hohulin moved that House Amendment No. 7 be adopted.

Which motion was defeated by the following vote:

AYES: 052

Akin Auer Backer Barnett Bennett

Bray 84 Burton Chrismer Cierpiot Daniel 42

Elliott Enz Foster Fritts Gibbons

Green Gross Heckemeyer Hegeman Hendrickson

Hickey Hohulin Holand Howerton Linton

Lograsso Loudon Luetkenhaus Marble Monaco

Murphy O'Toole Ostmann Pouche Pryor

Purgason Reinhart Ridgeway Robirds Ross

Schilling Scott Secrest Sheldon 104 Shields

Stokan Stroker Treadway Van Zandt Vogel

Wannenmacher Wilson

NOES: 095

Alter Ballard Barry 100 Bartelsmeyer Bartlett

Bauer Berkstresser Bland Boatright Boucher

Broach Campbell Carter Champion Clayton

Crawford Crump Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Evans Farnen Fitzwater Foley Franklin

Froelker Gaskill Gaston Graham 106 Graham 24

Gratz Griesheimer Gunn Hagan-Harrell Hall

Hartzler 123 Hartzler 124 Hilgemann Hollingsworth Hoppe

Hosmer Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Kreider

Lakin Lawson Leake Legan Levin

Liese May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Murray Nordwald

Overschmidt Parker Patek Relford Reynolds

Scheve Schwab Seigfreid Shear Shelton 57

Skaggs Smith Steen Stoll Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Wiggins Williams 121 Williams 159 Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 015

Bonner Cooper Copeland Daniels 41 Ford

Harlan Koller Long Naeger O'Connor

Ransdall Richardson Rizzo Sallee Troupe

VACANCIES: 001

Representative Hohulin offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 1006, Page 5, Section 6.040, Line 3, by subtracting 100,000 from amount on said line and adjusting the total on line 5 accordingly.

Representative Hohulin moved that House Amendment No. 8 be adopted.

Which motion was defeated.

On motion of Representative Scheve, HCS HB 1006, as amended, was adopted.

On motion of Representative Scheve, HCS HB 1006, as amended, was ordered perfected and printed.

HCS HB 1007, relating to appropriations, was taken up by Representative Scheve.

Representative Scheve offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1007, Page 6, Section 7.055, Line 27, by deleting the amount "5,591,530" and inserting in lieu thereof the amount "5,251,230"; and

further amend said section, line 24, by inserting immediately thereafter the line "For the purpose of funding statewide education of the arts

From General Revenue . . . . . 340,300"; and

further amend said bill, section 7.700, by deleting lines 5 and 6.

On motion of Representative Scheve, House Amendment No. 1 was adopted.

On motion of Representative Scheve, HCS HB 1007, as amended, was adopted.

On motion of Representative Scheve, HCS HB 1007, as amended, was ordered perfected and printed.

HCS HB 1008, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, HCS HB 1008 was adopted.

On motion of Representative Lakin, HCS HB 1008 was ordered perfected and printed.

HCS HB 1009, relating to appropriations, was taken up by Representative Troupe.

Representative Troupe offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1009, Page 7, Section 9.255, Line 6, by inserting immediately thereafter one new section to read as follows:

Section 9.256. To the Department of Corrections

For the Division of Adult Institutions

For the purpose of establishing a State/Local Government Cooperative

to establish a St. Louis County Boot Camp

From General Revenue Fund $2,000,000

On motion of Representative Troupe, House Amendment No.1 was adopted by the following vote:

AYES: 124

Alter Auer Ballard Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boatright Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Daniel 42 Daniels 41 Davis 63

Days Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Foley

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kelley 47 Kelly 27 Kennedy

Kissell Klindt Kreider Lawson Legan

Levin Linton Lograsso Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

Merideth Miller Monaco Murphy Murray

Nordwald O'Toole Ostmann Overschmidt Patek

Pouche Pryor Purgason Ransdall Reinhart

Reynolds Ridgeway Rizzo Robirds Ross

Sallee Scheve Schwab Scott Secrest

Sheldon 104 Shelton 57 Shields Steen Stokan

Stoll Summers Surface Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Williams 159 Wilson Wooten

NOES: 024

Backer Bray 84 Copeland Davis 122 DeMarce

Fitzwater Franklin Fritts Graham 24 Gratz

Heckemeyer Lakin Leake Parker Relford

Schilling Seigfreid Shear Smith Stroker

Thomason 163 Wiggins Williams 121 Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 014

Akin Bonner Boucher Crump Ford

Kauffman Koller Liese Long McLuckie

Naeger O'Connor Richardson Skaggs

VACANCIES: 001

On motion of Representative Troupe, HCS HB 1009, as amended, was adopted.

On motion of Representative Troupe, HCS HB 1009, as amended, was ordered perfected and printed.

HCS HB 1010, relating to appropriations, was taken up by Representative Carter.

HCS HB 1010 was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

RESOLUTIONS

Representative Clayton offered House Resolution No. 390 and House Resolution No. 391, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 392, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaston offered House Resolution No. 393, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Elliott offered House Resolution No. 394 through House Resolution No. 396, which were referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Holand offered House Concurrent Resolution No. 22.

COMMITTEE REPORTS

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred House Resolution No. 341 through House Resolution No. 385, begs leave to report it has examined the same and recommends that they Do Pass.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HCS HB 1006, HCS HB 1007, HCS HB 1008 and HCS HB 1009, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

HOUSE RESOLUTION

House Resolution No. 388 was read.

House Resolution No. 388

WHEREAS, it is with heavy hearts that the members of the Missouri House of Representatives pause to recognize the life and achievements of an outstanding Missourian; and

WHEREAS, St. Louis County Presiding Judge Daniel J. O'Toole, Jr., met his eternal reward on March 9, 1998, at the age of 59; and

WHEREAS, Judge O'Toole had enjoyed a more than twenty-one-year career as a magistrate, associate judge, and circuit judge in St. Louis County, where he was respected as a professional member of the judiciary who labored in earnest to rule on his cases only after a thorough study of Missouri statutes, rules of procedure, and common law guidelines while keeping in mind the complexities of human existence and considerations of fundamental fairness; and

WHEREAS, a former two-term state representative, Judge O'Toole gave up his House seat from the Spanish Lake area of North St. Louis County to win election as a magistrate judge in 1976; won re-election as a magistrate in 1978; was appointed an associate circuit judge by Governor Joseph P. Teasdale in 1979; was retained by the people as an associate circuit judge in 1982, 1986, and 1990; was appointed as a circuit judge in 1992 by Governor John D. Ashcroft; and was retained by the voters in 1994 for a six-year term; and

WHEREAS, Judge O'Toole was considered a balancing force in the county judiciary and was ranked near the top of his profession by the lawyers who presented cases before him and by his 33 colleagues on the county bench who elected him presiding judge two years ago; and

WHEREAS, a St. Louis native, Judge O'Toole earned an undergraduate degree in civil engineering and his law degree from Saint Louis University; and

WHEREAS, Judge O'Toole will be sadly missed by his wife, Gail; three daughters, Colleen Brady, Maureen Nichols, and Kathleen O'Toole; three sons, Daniel K. O'Toole, Michael O'Toole, and Thomas O'Toole; a sister, Karen Miles; two brothers, Patrick O'Toole and Gregory O'Toole; and ten grandchildren:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, unanimously join in paying final tribute to Judge Daniel J. O'Toole and in expressing our most sincere sympathy to his family at this difficult time of tremendous personal loss; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the family of the late Judge Daniel J. O'Toole, Jr.

On motion of Representative Auer, Rule 63 was suspended and House Resolution No. 388 was adopted by the following vote:

AYES: 141

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bauer Bennett

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Elliott

Enz Evans Farnen Fitzwater Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hartzler 123 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lawson Leake Legan

Liese Lograsso Long Loudon Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Murphy Murray Nordwald

O'Connor O'Toole Ostmann Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Sallee Scheve Schilling Schwab

Secrest Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Surface Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Bartelsmeyer Berkstresser Bland Dougherty Edwards-Pavia

Foley Hall Harlan Hartzler 124 Lakin

Levin Linton Marble Monaco Naeger

Overschmidt Ross Scott Seigfreid Summers

Townley

VACANCIES: 001

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1010, relating to appropriations, was again taken up by Representative Carter.

Representative Shields offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1010, Page 14, Section 20.415, by deleting the language "Section 20.415" and inserting in lieu thereof "Section 10.415", and further amend said section, line 4, by deleting the amount "79,902,579" and inserting in lieu thereof the amount "82,840,829" and further amend said section, page 15, line 7, by deleting the amount "1,879,889" and inserting in lieu thereof the amount "2,139,739"; and further amend said section, page 15, line 12, by deleting the amount "$109,882,632" and inserting in lieu thereof the amount "$113,080,732".

Representative Shields moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 074

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Broach Burton Champion

Chrismer Cierpiot Cooper Dolan Donovan

Edwards-Pavia Elliott Enz Evans Foster

Froelker Gaskill Gaston Gibbons Graham 106

Griesheimer Gross Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hohulin Hollingsworth Hosmer Howerton

Kasten Kauffman Kelley 47 Klindt Legan

Levin Linton Lograsso Long Loudon

Marble McClelland Merideth Miller Murphy

Naeger Nordwald Ostmann Patek Pouche

Pryor Purgason Reinhart Richardson Ridgeway

Robirds Ross Sallee Schwab Scott

Secrest Sheldon 104 Shields Steen Stoll

Summers Surface Wannenmacher Wooten

NOES: 084

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Clayton Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dougherty Farnen Fitzwater Foley

Ford Franklin Fritts Graham 24 Gratz

Green Gunn Hagan-Harrell Harlan Heckemeyer

Hickey Hilgemann Hoppe Johnson Kelly 27

Kennedy Kissell Koller Kreider Lakin

Lawson Leake Liese Luetkenhaus Mays 50

McBride McLuckie Monaco Murray O'Connor

O'Toole Overschmidt Parker Ransdall Relford

Reynolds Rizzo Scheve Schilling Seigfreid

Shear Shelton 57 Skaggs Smith Stokan

Stroker Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 004

Boatright Hall Holand May 108

VACANCIES: 001

Representative Carter offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1010, Page 14, Section 20.415, by deleting the language "Section 20.415" and inserting in lieu thereof the language "Section 10.415".

On motion of Representative Carter, House Amendment No. 2 was adopted.

Representative Franklin offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1010, Page 10, Section 10.315, Line 4, by deleting the figure "$5,144,144" and inserting in lieu thereof the figure "$3,756,601".

On motion of Representative Franklin, House Amendment No. 3 was adopted by the following vote:

AYES: 083

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Clayton Copeland Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Farnen Fitzwater Foley Ford Franklin

Fritts Graham 24 Gratz Green Hagan-Harrell

Harlan Heckemeyer Hickey Hilgemann Hollingsworth

Hoppe Hosmer Johnson Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Liese Luetkenhaus May 108 Mays 50

McBride McLuckie Monaco Murray O'Connor

O'Toole Overschmidt Parker Ransdall Relford

Reynolds Rizzo Scheve Schilling Seigfreid

Shear Shelton 57 Skaggs Smith Stokan

Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

NOES: 076

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Crawford

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Foster Froelker Gaskill Gaston

Gibbons Graham 106 Griesheimer Gross Hartzler 123

Hartzler 124 Hegeman Hendrickson Hohulin Holand

Howerton Kasten Kauffman Kelley 47 Klindt

Legan Levin Linton Lograsso Long

Loudon Marble McClelland Merideth Miller

Murphy Naeger Nordwald Ostmann Patek

Pouche Pryor Purgason Reinhart Richardson

Ridgeway Robirds Ross Sallee Schwab

Scott Secrest Sheldon 104 Shields Steen

Summers Surface Townley Vogel Wannenmacher

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 003

Dougherty Gunn Hall

VACANCIES: 001

Representative Reynolds offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1010, Page 25, Section 10.640, Line 5, by deleting the figure "$3,000,000" and inserting in lieu thereof the figure "$14,402,631".

Representative Shields offered House Substitute Amendment No. 1 for House Amendment No. 4.

House Substitute Amendment No. 1

for

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1010, Page 25, Section 10.640, Line 5, by adding the following lines after said line,

"6. For the purpose of funding family planning

7. Infrastructure development

8. From General Revenue Fund $11,402,631

9. Total $14,402,631"

Representative Reynolds raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 4 is not a true substitute amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Shields, House Substitute Amendment No. 1 for House Amendment No. 4 was adopted by the following vote:

AYES: 105

Akin Alter Ballard Barnett Barry 100

Bartelsmeyer Bennett Berkstresser Boatright Bonner

Boucher Broach Burton Champion Chrismer

Cierpiot Cooper Crawford Crump DeMarce

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Foley Ford Foster Froelker

Gaskill Gaston Gibbons Graham 106 Gratz

Green Griesheimer Gross Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hohulin

Holand Hoppe Howerton Johnson Kasten

Kelley 47 Kennedy Kissell Klindt Koller

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble Merideth Miller Murphy Murray

Naeger Nordwald O'Connor O'Toole Overschmidt

Patek Pouche Pryor Purgason Ransdall

Reinhart Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Schwab Scott

Secrest Sheldon 104 Shields Steen Stoll

Summers Surface Thomason 163 Townley Treadway

Vogel Wannenmacher Wiggins Williams 159 Wooten

NOES: 056

Auer Backer Bartlett Bauer Bland

Bray 84 Campbell Carter Clayton Copeland

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

Dougherty Farnen Fitzwater Franklin Fritts

Graham 24 Gunn Hagan-Harrell Harlan Hilgemann

Hollingsworth Hosmer Kauffman Kelly 27 Kreider

Lakin May 108 Mays 50 McBride McClelland

McLuckie Monaco Ostmann Parker Relford

Scheve Schilling Seigfreid Shear Shelton 57

Skaggs Smith Stokan Stroker Thompson 37

Thompson 72 Troupe Van Zandt Williams 121 Wilson

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 001

Hall

VACANCIES: 001

Representative Carter offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1010, Page 28, Section 10.690, Line 12, by adding immediately following said line "From Payments from Social Services. . . $1,600,000" and further amend said section, line 17, by deleting the figure "8,089,694" and inserting in lieu thereof the figure "9,689,694".

On motion of Representative Carter, House Amendment No. 5 was adopted.

Representative Carter offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1010, Page 32, Section 10.735, Line 5, by deleting the figure "782,993" and inserting in lieu thereof the figure "932,993"; and further amend said section, line 7, by deleting the figure "$1,032,993" and inserting in lieu thereof the figure "$1,182,993".

On motion of Representative Carter, House Amendment No. 6 was adopted.

Representative Burton offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1010, Page 30, Section 10.715, Line 7, after the word "department" on line 7, add a period and take out line 8 and 9.

Representative Chrismer offered House Substitute Amendment No. 1 for House Amendment No. 7.

House Substitute Amendment No. 1

for

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1010, Page 30, Section 10.715, Line 7, by removing line 8 and 9, and adding a period after the word department then adding, provided that none of these funds appropriated herein shall be expended for any act to refer for or assist an abortion, and no person while performing services in a project paid for by such funds shall perform any act to refer for or assist an abortion.

On motion of Representative Chrismer, House Substitute Amendment No. 1 for House Amendment No. 7 was adopted by the following vote:

AYES: 102

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bennett Berkstresser Boatright

Bonner Boucher Broach Burton Champion

Chrismer Cierpiot Cooper Crawford Crump

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Foley Foster

Froelker Gaskill Gaston Gibbons Graham 106

Gratz Green Griesheimer Gross Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hohulin Holand Hoppe Howerton Johnson

Kasten Kelley 47 Kennedy Kissell Klindt

Koller Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble Merideth Miller Murphy Murray

Nordwald O'Connor O'Toole Overschmidt Patek

Pouche Pryor Purgason Ransdall Reinhart

Richardson Ridgeway Rizzo Robirds Ross

Sallee Schwab Scott Secrest Sheldon 104

Steen Stoll Summers Surface Thomason 163

Townley Treadway Vogel Wannenmacher Wiggins

Williams 159 Wooten

NOES: 054

Backer Bartlett Bauer Bland Bray 84

Campbell Carter Clayton Daniel 42 Daniels 41

Davis 122 Davis 63 Days Farnen Fitzwater

Ford Franklin Fritts Graham 24 Gunn

Hagan-Harrell Harlan Hilgemann Hollingsworth Hosmer

Kauffman Kelly 27 Kreider Lakin Lawson

May 108 Mays 50 McBride McClelland McLuckie

Ostmann Parker Relford Scheve Schilling

Seigfreid Shear Shelton 57 Shields Skaggs

Smith Stokan Stroker Thompson 72 Troupe

Van Zandt Williams 121 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Copeland Hall Monaco Naeger Reynolds

Thompson 37

VACANCIES: 001

Representative Hohulin offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 1010, Page 6, Section 10.115, Line 3, by subtracting $1,368,818 from the number on said line; and

further amend said bill, by adjusting the total on line 5 accordingly.

Representative Hohulin moved that House Amendment No. 8 be adopted.

Which motion was defeated.

Representative Hohulin offered House Amendment No. 9.

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 1010, Page 6, Section 10.115, Line 3, by subtracting the amount of $743,706 from the number on said line and adjusting the total on line 5 accordingly.

Representative Hohulin moved that House Amendment No. 9 be adopted.

Which motion was defeated.

Representative Hohulin offered House Amendment No. 10.

House Amendment No. 10

AMEND House Committee Substitute for House Bill No. 1010, Page 4, Section 10.105, Line 5, by deleting the number 1,741,905 and placing in lieu thereof the figure 1,712,283; and

further amend said bill, page 5, section 10.105, line 7, by adjusting the total accordingly.

Representative Hohulin moved that House Amendment No. 10 be adopted.

Which motion was defeated.

On motion of Representative Carter, HCS HB 1010, as amended, was adopted.

On motion of Representative Carter, HCS HB 1010, as amended, was ordered perfected and printed.

HCS HB 1011, relating to appropriations, was taken up by Representative Troupe.

Representative Troupe offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1011, Page 2, Section 11.015, Line 31, by deleting the figure $750,000 and inserting in lieu thereof the figure "$1,000,000"; and

further amend said bill, page 22, section 11.445, line 21, by deleting the figure 154,000,000 and inserting in lieu thereof the figure "153,600,000", and

further amend said section, line 22, by deleting the figure 289,000,000 and inserting in lieu thereof the figure "288,400,000"; and

further amend said section, line 24, by deleting the figure $632,800,000 and inserting in lieu thereof the figure "631,800,000".

On motion of Representative Troupe, House Amendment No. 1 was adopted.

Representative Troupe offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1011, Page 13, Section 11.215, Line 1, by deleting all of said section and inserting in lieu thereof one new section to read as follows:

"Section 11.215. To the Department of Social Services

For the Division of Family Services

For the purpose of funding community services programs provided by

community action agencies, except for programs provided by the

Human Development Corporation (HDC) of the City of St. Louis,

including programs to assist the homeless, under the provisions of

the Community Services Block Grant

From Federal Funds. . . . . .$10,000,000 E

For the purpose of funding community services programs provided by

the Human Development Corporation (HDC) of St. Louis, including

programs to assist the homeless, under the provisions of the Community

Services Block Grant, provided that no funds authorized here in may be

expended until a, full disclosure, financial statement has been presented

to the Legislative Block Grant Oversight Committee

From Federal Funds 2,603,980

Total (0 F.T.E.) $12,603,980

On motion of Representative Troupe, House Amendment No. 2 was adopted.

Representative Bauer offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1011, Page 29, Section 11.620, Line 8, by deleting the figure "$8,030,000" and inserting in lieu thereof the figure "$8,930,000"; and

further amend said section, line 9, by deleting the figure "27,700,000" and inserting in lieu thereof the figure "28,000,000"; and

further amend said section, line 11, by deleting the figure "$36,160,000" and inserting in lieu thereof the figure "$37,360,000".

Representative Bauer moved that House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 068

Akin Alter Auer Ballard Barnett

Bartelsmeyer Bauer Bennett Berkstresser Boucher

Broach Chrismer Cierpiot Crawford Davis 63

DeMarce Edwards-Pavia Elliott Enz Evans

Foster Froelker Gaskill Gaston Graham 106

Griesheimer Hartzler 123 Hartzler 124 Hegeman Hendrickson

Hilgemann Holand Hosmer Howerton Johnson

Kelley 47 Kennedy Klindt Lawson Levin

Liese Linton Long Marble May 108

Merideth Miller Monaco Murphy Naeger

Nordwald O'Toole Ostmann Patek Pouche

Purgason Ridgeway Robirds Ross Sallee

Scott Secrest Sheldon 104 Shields Summers

Surface Townley Williams 159

NOES: 084

Backer Barry 100 Bartlett Bland Boatright

Bonner Bray 84 Burton Campbell Carter

Champion Clayton Cooper Crump Daniel 42

Daniels 41 Davis 122 Days Donovan Dougherty

Farnen Fitzwater Foley Franklin Fritts

Gibbons Graham 24 Gratz Green Gross

Gunn Hagan-Harrell Harlan Heckemeyer Hickey

Hohulin Hollingsworth Hoppe Kasten Kauffman

Kelly 27 Kissell Koller Kreider Lakin

Leake Legan Loudon Luetkenhaus Mays 50

McBride McClelland McLuckie Murray O'Connor

Overschmidt Parker Ransdall Reinhart Relford

Rizzo Scheve Schilling Schwab Seigfreid

Shear Shelton 57 Skaggs Smith Steen

Stokan Stoll Stroker Thomason 163 Thompson 72

Treadway Troupe Van Zandt Vogel Wiggins

Williams 121 Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Copeland Dolan Ford Hall Lograsso

Pryor Reynolds Richardson Thompson 37 Wannenmacher

VACANCIES: 001

Representative Naeger offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1011, Page 12, Section 11.195, Line 4, by deleting the amount "4,980,000" and replacing with the amount of "3,980,000"; and

further amend said section, page 13, line 6, by deleting the amount "5,720,000" and replacing with the amount of "4,720,000".

Representative Naeger moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 044

Akin Ballard Barnett Bennett Boatright

Burton Chrismer Cierpiot Cooper Dolan

Elliott Enz Foster Froelker Gaskill

Gibbons Griesheimer Hegeman Hendrickson Hohulin

Holand Howerton Klindt Legan Linton

Long Loudon Marble McClelland Miller

Naeger Pouche Pryor Purgason Ridgeway

Robirds Sallee Schwab Secrest Shields

Steen Summers Surface Townley

NOES: 107

Alter Auer Backer Barry 100 Bartelsmeyer

Bartlett Bauer Berkstresser Bland Bonner

Boucher Bray 84 Broach Campbell Carter

Champion Clayton Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Donovan Dougherty Edwards-Pavia Evans

Farnen Fitzwater Foley Franklin Fritts

Gaston Graham 106 Graham 24 Gratz Green

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hickey Hilgemann Hollingsworth

Hoppe Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Koller Kreider

Lakin Lawson Leake Levin Liese

Lograsso Luetkenhaus May 108 Mays 50 McBride

McLuckie Merideth Monaco Murphy Murray

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Ransdall Reinhart Relford

Ross Schilling Seigfreid Shear Sheldon 104

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Thomason 163 Thompson 72 Treadway Troupe

Van Zandt Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 011

Ford Hall Hosmer Reynolds Richardson

Rizzo Scheve Scott Thompson 37 Vogel

Wannenmacher

VACANCIES: 001

On motion of Representative Troupe, HCS HB 1011, as amended, was adopted.

On motion of Representative Troupe, HCS HB 1011, as amended, was ordered perfected and printed.

HCS HB 1012, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, HCS HB 1012 was adopted.

On motion of Representative Green, HCS HB 1012 was ordered perfected and printed.

SUPPLEMENTAL CALENDAR

(March 11, 1998)

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 1006 - Scheve

HCS HB 1007 - Scheve

HCS HB 1008 - Lakin

HCS HB 1009 - Troupe

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1005, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, HCS HB 1005 was read the third time and passed by the following vote:

AYES: 124

Alter Auer Backer Ballard Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days Dolan

Donovan Dougherty Evans Fitzwater Foley

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Holand Hollingsworth Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Koller Kreider Lakin Leake

Legan Levin Liese Long Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Miller Monaco Murray Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Pouche

Purgason Ransdall Reinhart Relford Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Secrest Shear Sheldon 104 Shelton 57

Shields Skaggs Steen Stokan Stoll

Stroker Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 032

Akin Barnett Boatright Cierpiot Clayton

DeMarce Edwards-Pavia Elliott Enz Farnen

Hartzler 124 Hohulin Hoppe Howerton Klindt

Lawson Linton Lograsso Loudon Marble

Merideth Murphy Naeger Patek Pryor

Richardson Ridgeway Seigfreid Smith Summers

Surface Townley

PRESENT: 000

ABSENT WITH LEAVE: 006

Ford Hall Hosmer Reynolds Scott
Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Barry moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1006, relating to appropriations, was taken up by Representative Scheve.

On motion of Representative Scheve, HCS HB 1006 was read the third time and passed by the following vote:

AYES: 133

Alter Auer Ballard Barry 100 Bartelsmeyer
Bartlett Bauer Bennett Berkstresser Bland
Bonner Boucher Bray 84 Broach Burton
Campbell Carter Champion Chrismer Cierpiot
Clayton Cooper Copeland Crawford Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Fitzwater Foley Foster
Franklin Fritts Froelker Gaskill Gaston
Graham 106 Graham 24 Gratz Green Gunn
Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hendrickson Hickey Hilgemann Holand Hollingsworth
Hoppe Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Long Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Purgason Ransdall Reinhart Relford

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Secrest

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Wannenmacher Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 023

Akin Backer Barnett Boatright DeMarce

Farnen Gibbons Griesheimer Gross Hegeman

Hohulin Klindt Linton Lograsso Loudon

Murphy Nordwald Patek Pryor Seigfreid

Summers Surface Wiggins

PRESENT: 000

ABSENT WITH LEAVE: 006

Ford Hall Hosmer Reynolds Scott

Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Hickey moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1007, relating to appropriations, was taken up by Representative Scheve.

On motion of Representative Scheve, HCS HB 1007 was read the third time and passed by the following vote:

AYES: 148

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Holand Hollingsworth Hoppe Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Wannenmacher Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 006

Akin Boatright Hohulin Linton Murphy

Pryor

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford Hall Hosmer McBride Reynolds

Scott Vogel Wiggins

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Kennedy moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1008, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, HCS HB 1008 was read the third time and passed by the following vote:

AYES: 149

Alter Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Boucher Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Pouche Purgason Ransdall
Reinhart Relford Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Secrest Seigfreid Shear Sheldon 104
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 004

Akin Linton Murphy Pryor

PRESENT: 002

Bonner Patek

ABSENT WITH LEAVE: 007

Bray 84 Ford Hall Hosmer Reynolds

Scott Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Rizzo, title to the bill was agreed to.

Representative Stroker moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1009, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, HCS HB 1009 was read the third time and passed by the following vote:

AYES: 150

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Purgason Ransdall Reinhart Relford

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Treadway Van Zandt Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 004

Akin Linton Murphy Pryor

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford Hall Hosmer Reynolds Scott

Townley Troupe Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Leake moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

COMMITTEE REPORTS

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred HB 1869, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred HB 986, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred HB 1066, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred HB 1145, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred HB 1216, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred HB 1528, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred HB 1571, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred HB 1744, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Consumer Protection, Chairman McLuckie reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred HB 1880, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Correctional and State Institutions, Chairman Crump reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred HB 1747, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred HB 1805, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred HCR 13, begs leave to report it has examined the same and recommends that it Do Pass.

HOUSE CONCURRENT RESOLUTION NO. 13

WHEREAS, a recent tragic event has prompted the members of this legislative body to investigate a deadly and generally overlooked situation in our neighboring state of Arkansas; and

WHEREAS, on Christmas Eve, 1997, the van in which the Marley family of Columbia, Missouri, were riding in collided with a tractor-trailer while traveling on Highway 63 south of the Missouri border; and

WHEREAS, Ron Marley, age 53, his wife, Sharon Marley, age 49, and their children, Jennifer, 18, Ron, Jr., age 17, Angela, age 12, all died as a result of this terrible accident; and

WHEREAS, this dangerous stretch of road between Mammoth Spring and Hardy is referred to as Cold Springs Curve and morbidly dubbed "Dead Man's Curve" by local residents; and

WHEREAS, Cold Springs Curve has experienced a problematic eighteen-year history with numerous accidents and deaths; and

WHEREAS, in the past nineteen months alone, fifteen people have lost their lives along this stretch of road including two firefighters from Thayer, Captain Donald Payton and David Carpenter, who were en route to another accident; and

WHEREAS, the Arkansas Highway Department has added rumple strips and grooves to add traction for cars and create tire noise to alert drivers to the hazardous area and has put up signs which indicate sharp curves and remind drivers of the 30 mile-per-hour speed limit; and

WHEREAS, the efforts of the Arkansas Highway Department have obviously failed to prevent deadly accidents from occurring; and

WHEREAS, recently a number of concerned area residents including organizer Kim Boddie; Albert Roork, chief of police in Salem; Alvin Clark, mayor of Thayer, Missouri; Angelia Roberts, editor of the Area Wide Media in Arkansas; and Lori Benedict, an Arkansas State Representative, joined together to collect signatures for a petition urging Governor Mike Huckabee to improve the road:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Eighty-Ninth General Assembly, Second Regular Session, the Senate concurring therein, hereby remonstrate the Arkansas Highway Department for failing to protect the lives of the motoring public by neglecting to rectify serious problems on Highway 63 between Mammoth Springs and Hardy; and

BE IT FURTHER RESOLVED that this legislative body implore Governor Mike Huckabee and the Arkansas Highway Department to swiftly take action to dramatically improve Highway 63; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be instructed to prepare properly inscribed copies of this resolution for Missouri State Governor Mel Carnahan and Arkansas State Governor Mike Huckabee.

Mr. Speaker: Your Committee on Transportation, to which was referred HB 1596, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Transportation, to which was referred HB 1791, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1912, introduced by Representative Berkstresser, relating to the sale of livestock.

HB 1913, introduced by Representatives Gratz, Backer, Vogel and Steen, to authorize the governor to convey certain property in Cole County.

HB 1914, introduced by Representatives Davis (122) and Relford, et al, relating to telemarketing practices.

LETTERS OF OBJECTION

February 11, 1998

Chief Clerk Anne Walker

Office of Chief Clerk

House of Representatives

Jefferson City, MO 65101

Dear Chief Clerk Walker:

Please find here five signatures pursuant to Rule 48 (b) of the Missouri House of Representatives Rules book. Our signature here indicates our position that House Bill 1392 shall not be a consent bill.

/s/ Henry Rizzo Dist. No. 40

/s/ Dennis Bonner Dist. No. 51

/s/ Norman Sheldon Dist. No. 104

/s/ Bubs Hohulin Dist. No. 126

/s/ Glenn Hall Dist. No. 56

Please note our objection and proceed with action outlined in Rule 48 (b).

March 11, 1998

Anne Walker, Chief Clerk

Missouri House of Representatives

State Capitol Building

House Post Office

201 West Capitol Avenue

Jefferson City, MO 65101-1556

Dear Ms. Walker:

We, the undersigned, respectfully request that House Bill 1773 relating to reporting of child abuse cases be removed from the Consent Calendar.

The bill changes the standards for immunity for the reporting of child abuse and is of an extremely controversial nature and therefore does not comply with House Rule 48(a).

Sincerely,

/s/ Scott Lakin No. 33

/s/ Vernon Thompson No. 37

/s/ Charlie Shields No. 28

/s/ Ken Legan No. 145

/s/ Pat Kelley No. 47

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1392 - Rules, Joint Rules and Bills Perfected and Printed

HB 1773 - Rules, Joint Rules and Bills Perfected and Printed

HB 1891 - Correctional and State Institutions

HB 1892 - Utilities Regulation

HB 1893 - Education - Elementary and Secondary

HB 1894 - Utilities Regulation

HB 1896 - Education - Elementary and Secondary

HB 1897 - Civil and Administrative Law

HB 1898 - Governmental Organization and Review

HB 1899 - Education - Elementary and Secondary

HB 1900 - Education - Elementary and Secondary

HB 1901 - Ways and Means

HB 1902 - Professional Registration and Licensing

HB 1904 - Utilities Regulation

HB 1905 - Local Government and Related Matters

HB 1906 - Agriculture

HB 1907 - Critical Issues

HB 1908 - Civil and Administrative Law

HB 1909 - Utilities Regulation

HB 1910 - Ways and Means

HB 1911 - Education - Higher

WITHDRAWAL OF HOUSE BILLS

March 10, 1998

The Honorable Steve Gaw

Speaker of the House

House of Representatives

Capitol Building

Jefferson City, MO

Dear Mr. Speaker:

I respectfully ask that HB 1903 be withdrawn. I thank you for your time and consideration of my request.

Please do not hesitate to contact me if I may be of assistance to you.

Sincerely,

/s/ Jim Kreider

Speaker Pro Tem

March 11, 1998

Speaker Gaw

House of Representatives

Rm 308

Dear Mr. Speaker:

I am requesting that HB 1854 be withdrawn.

Thanks for your consideration.

Sincerely,

/s/ Steve McLuckie

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on SCS HCS HB 1014, as amended: Senators Lybyer, Wiggins, Goode, Russell and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 487, entitled:

An act to repeal sections 304.155, 304.156, 304.157 and 304.158, RSMo Supp. 1997, relating to the removal of abandoned property, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 538, entitled:

An act relating to licensing of certain construction professionals.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS SB 596, entitled:

An act to repeal sections 578.005 and 578.009, RSMo 1994, relating to the treatment of animals, and to enact in lieu thereof four new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS#2 SCS SB 632, entitled:

An act to amend chapter 208, RSMo, by adding thereto two new sections relating to providing health care for

certain uninsured children, with an expiration date for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 659, entitled:

An act to repeal sections 57.201, 57.220, 57.221 and 57.251, RSMo 1994, and section 57.250, RSMo Supp. 1997, relating to sheriffs, and to enact in lieu thereof six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SB 724, entitled:

An act to repeal section 143.183, RSMo 1994, relating to state income tax revenues from certain nonresidents, and to enact in lieu thereof one new section for the sole purpose of providing for state income tax revenues from nonresident entertainers and athletes.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 786, entitled:

An act to repeal sections 213.010, 213.020, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, 213.101 and 213.111, RSMo 1994, and section 213.030, RSMo Supp. 1997, relating to human rights, and to enact in lieu thereof eleven new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 839, entitled:

An act to amend chapter 288, RSMo, by adding thereto one new section relating to notification of unemployment benefit eligibility by certain employers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 854, entitled:

An act to repeal sections 333.041, 333.042 and 333.051, RSMo 1994, relating to funeral directing, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 571, entitled:

An act to repeal sections 109.120, 109.130, 109.241 and 575.110, RSMo 1994, relating to public records, and to enact in lieu thereof four new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, March 12, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Sixth Day, Tuesday, March 10, 1998, Page 513, by inserting after line 32, the following:

Mr. Speaker: Your Committee on Ways and Means, to which was referred HB 1507, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Pages 492 and 493, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 501 and 502, roll call, by showing Representatives Days and May (108) voting "aye" rather than "absent with leave".

Pages 502 and 503, roll call, by showing Representative Franklin voting "no" rather than "absent with leave".

Pages 503 and 504, roll call, by showing Representative Gross voting "aye" rather than "absent with leave".

Pages 505 and 506, roll call, by showing Representative Lawson voting "no" rather than "absent with leave".

Pages 507 and 508, roll call, by showing Representative Lawson voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Thursday, March 12, 1998, 8:30 am. Hearing Room 9. Executive session on

previously heard bills.

To be considered - HJR 32, HB 1412, HB 1095, HB 1195

EDUCATION - HIGHER

Thursday, March 12, 1998, 9:00 am. Hearing Room 7.

To be considered - Executive Session - HB 1731, Executive Session - HB 1796,

Executive Session - HB 1448

ENVIRONMENT AND ENERGY

Thursday, March 12, 1998, 9:00 am. Hearing Room 6.

To be considered - HB 1376, Executive Session - HB 1759, Executive Session - HB 994

ETHICS

Thursday, March 12, 1998. Side gallery upon adjournment.

Additions to caucuses. Chuck Caucus, Bootheel Caucus.

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Monday, March 30, 1998, 10:30 am. Hearing Room 8.

Discussion of 1115 Medicaid waiver proposal.

JUDICIARY

Thursday, March 12, 1998. Side gallery upon morning adjournment.

To be considered - Executive Session - HB 1799, Executive Session - HB 1579

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, March 12, 1998, 9:00 am. Hearing Room 5. Executive session will follow.

Hearing continued from 3-11-98.

To be considered - HB 1879, HJR 45, HB 1385, HB 1739

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 24, 1998, 1:00 pm. Hearing Room 7. Executive session to follow.

To be considered - HB 1881, HB 1536, HB 1788, HB 1778, HB 1282

UTILITIES REGULATION

Thursday, March 12, 1998, 8:30 am. Hearing Room 8. Executive session.

Reconsideration of HB 988.

HOUSE CALENDAR

Thirty-eighth Day, Thursday, March 12, 1998

HOUSE BILLS FOR SECOND READING

HB 1912 through HB 1914

HOUSE BILLS FOR PERFECTION

HCS HB 1323 - Green

HB 1229 - Copeland

HCS HB 1681 & 1342 - Koller

HCS HB 1455 & 1463 - O'Toole

HB 1694, HCA 1 - Gaw

HCS HB 1434 - Thomason (163)

HCS HB 1038 - Carter

HB 1070 - Barry

HB 1322, HCA 1 - Foley

HCS HB 1526 - May (108)

HCS HB 1143 - Mays (50)

HCS HB 1636 - Hoppe

HCS HB 1198 - Auer

HCS HB 1189 - Liese

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(March 10, 1998)

HB 1033 - Franklin

HB 1794 - Monaco

HB 1508 - Relford

HB 1037 - Leake

HB 1300 - Kennedy

HB 931 - Carter

HB 898 - Heckemeyer

HB 1239 - Parker

HB 1309 - Clayton

HB 1566 - Johnson

HB 1299 - Skaggs

HB 1301 - Campbell

HB 1097 - Overschmidt

HB 1599 - Clayton

HB 1683 - Fitzwater

HB 968 - Barry

HB 1369 - Smith

HB 1454 - O'Toole

HB 1088 - Boucher

HB 1569 - Seigfreid

HB 1588 - Luetkenhaus

HB 1506 - O'Toole

HB 1763 - Stoll

HB 1055 - Thomason (163)

HB 1052 - Ford

HB 1511 - Koller

HB 1092 - Rizzo

HB 1162 - DeMarce

HB 1059 - Liese

HB 1707 - Liese

HB 1704 - Leake

HB 1562 - Relford

HB 1120 - Griesheimer

HB 1226 - May (108)

HB 1587 - Luetkenhaus

HB 1374 - Scheve

HB 1859 - Thomason (163)

HB 950 - Leake

HB 1228 - May (108)

HB 1748 - Wannenmacher

HB 996 - Kennedy

HB 1444 - May (108)

HB 1046 - O'Toole

HB 1080 - Auer

HB 1410 - Luetkenhaus

HB 1274 - Farnen

HB 1556 - Dougherty

HB 1272 - Holand

HB 1103 - May (108)

HB 1201 - Summers

HB 1607 - Richardson

HB 1107 - May (108)

HB 1718 - Chrismer

HB 1357 - Broach

HB 1090 - Auer

HB 955 - Lograsso

(March 11, 1998)

HB 1113 - DeMarce

HB 1149 - Campbell

HB 1304 - Foley

HB 1352 - Rizzo

HB 1531 - Hoppe

HB 1468 - Reynolds

HB 1507 - Bray

HB 1734 - Backer

HB 1157 - McClelland

HB 1419 - Riback Wilson

HB 1802 - Thomason (163)

HB 1586 - Hosmer

HB 944 - Long

HB 1730 - Townley

HB 1293 - Pouche

HB 1158 - McClelland

HB 1705 - Hoppe

HB 1480 - DeMarce

HB 1267 - Shields

HB 1084 - Vogel

(March 12, 1998)

HB 1216 - Monaco

HB 986 - Backer

HB 1869 - Wiggins

HB 1066 - Clayton

HB 1805 - Chrismer

HB 1747 - Ostmann

HB 1880 - Hickey

HB 1145 - Lakin

HB 1571 - Monaco

HB 1596 - Leake

HB 1791 - Clayton

HB 1528 - Smith

HB 1744 - Akin

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 32, (Budget Fiscal 3-10-98) - Days

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 1010 - Carter

HCS HB 1011 - Troupe

HCS HB 1012 - Green

HOUSE BILLS FOR THIRD READING

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1094, 1213, 1311 & 1428 - Treadway

HCS HB 1197, (Budget Fiscal 2-24-98) - Gunn

HCS HB 1315, (Budget Fiscal 2-24-98) - Dougherty

HS HCS HB 1412, (Budget Fiscal 3-9-98) - Harlan

HCS HB 1195, (Budget Fiscal 3-9-98) - May (108)

HS HCS HB 1095, (Budget Fiscal 3-10-98) - Smith

HS HCS HB 1601,1591,1592,1479 & 1615 - Treadway

HB 1240 - Parker

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HS HCS HB 1161, E.C. (Budget Fiscal 3-3-98) - Wiggins

SENATE BILLS FOR SECOND READING

SB 487

SB 538

SCS SB 571

SS SCS SB 596

SS SCS SB 632

SCS SB 659

SS SB 724

SB 786

SB 839

SB 854

BILL IN CONFERENCE

SCS HCS HB 1014, as amended - Franklin

COURTESY RESOLUTIONS

HR 341 - Loudon

HR 342 - Bonner

HR 343 - Campbell

HR 344 and HR 345 - Alter

HR 346 - Ross

HR 347 - Long

HR 348 and HR 349 - Lograsso

HR 350 - Ross

HR 351 - Campbell

HR 352 and HR 353 - Enz

HR 354 - Reinhart

HR 355 - Crump

HR 356 - Seigfreid

HR 357 - Treadway

HR 358 - Bartelsmeyer

HR 359 - Farnen

HR 360 and HR 361 - Hartzler

HR 362 - Bland

HR 363 - Harlan

HR 364 - Reynolds

HR 365 - Murphy

HR 366 - Liese

HR 367 - Hollingsworth

HR 368 and HR 369 - Backer

HR 370 - Berkstresser

HR 371 - Summers

HR 372 - Treadway

HR 373 - Lograsso

HR 374 - Barry

HR 375 - Wiggins

HR 376 - Scheve

HR 377 - Murray

HR 378 - Barry

HR 379 - Vogel

HR 380 - Clayton

HR 381 - Richardson

HR 382 - Foster

HR 383 - Backer

HR 384 - McLuckie

HR 385 - Kelly (27)



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House Journal

Second Regular Session, 89th General Assembly

THIRTY-EIGHTH DAY, Thursday, March 12, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Gracious God, we know that you are concerned about billions of your creatures all over the earth, even the sparrow who falls to the ground, as if each one were the only one. In that infinite concern, you can certainly understand how hard it is for these Representatives to keep in mind the thousands of their fellow citizens for whom they must legislate. You know the clamor of voices in their ears, the constant tugging at their sleeves, forever trying to influence them and their decisions; the small voices of the little persons without money or names; the blatant voices of aggressive pressure groups; the big voices of selfish interests; the whispering inner voices of personal ambition; the insinuating voices holding out the lure of unmerited reward.

In the clamor and noise of all the voices, give these men and women the willingness to take the time to listen to YOUR voice, knowing that if they follow the still small voice within, all of your people will be served fairly, and all will receive what they deserve.

Be now with all those who, even as they work today, are thinking about loved ones with illness or in grief; reassure them of your presence here with them and with those they love.

Take us into this spring break with an opportunity to rest and spend time with family and friends. Hear our prayers, O Lord of us all. Amen.

*Portions adapted from a prayer given by the Chaplain, The Rev. Peter Marshall, D.D., at the opening of the March 24, 1947 session of the Senate of the United States.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sasha Ball, Laura Koetting, Amanda Bunn, Ryan Mayfield, Evan Wright, Tyler Wengert, Kelli Guilliams, Sarah McDonald, Skyler McDonald, Todd Eppoh, Gabrielle Stolwyk, Scott Kelling, Kyle Luke, Molly Burton, Rachel

Evans, Sarah Evans, Harold Evans, Michael Davis, Lauren Gossage, Daniel Miller and Shannon Mulcahy.

The Journal of the thirty-seventh day was approved as corrected.

RESOLUTIONS

Representative Hartzler (123) offered House Resolution No. 397 and House Resolution No. 398, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kauffman offered House Resolution No. 399, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Troupe offered House Resolution No. 400, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Heckemeyer offered House Resolution No. 401 and House Resolution No. 402, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Liese offered House Resolution No. 403, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative DeMarce offered House Resolution No. 404, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Donovan and Stroker offered House Resolution No. 405, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ransdall offered House Resolution No. 406, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution No. 407, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Hosmer and Wooten offered House Resolution No. 408 and House Resolution No. 409, which were referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Gunn offered House Concurrent Resolution No. 23.

COURTESY RESOLUTIONS

House Resolution No. 341 through House Resolution No. 385 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution No. 341 through House Resolution No. 385 were adopted.

SECOND READING OF HOUSE BILLS

HB 1912 through **HB 1914** were read the second time.

SECOND READING OF SENATE BILLS

SB 487, SB 538, SCS SB 571, SS SCS SB 596, SS SCS SB 632, SCS SB 659, SS SB 724, SB 786, SB 839 and **SB 854** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1601, 1591, 1592, 1479 & 1615, HB 1240, HCS HB 1010, HCS HB 1011** and **HCS HB 1012**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 32 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1010, relating to appropriations, was taken up by Representative Carter.

On motion of Representative Carter, **HCS HB 1010** was read the third time and passed by the following vote:

AYES: 143

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Bonner Boucher Broach

Burton Carter Champion Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kennedy Kissell Klindt Koller

Kreider Lakin Leake Legan Levin

Liese Lograsso Long Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Ransdall

Reinhart Relford Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten

NOES: 016

Akin Boatright Bray 84 Campbell Chrismer
Days Fitzwater Hohulin Kelly 27 Lawson
Linton Loudon Pryor Purgason Shear
Skaggs

PRESENT: 000

ABSENT WITH LEAVE: 003

Hall Reynolds Mr. Speaker

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative Luetkenhaus moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1011, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **HCS HB 1011** was read the third time and passed by the following vote:

AYES: 149

Alter Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Bonner Boucher Bray 84
Burton Campbell Carter Champion Cierpiot
Clayton Cooper Copeland Crawford Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foley Ford Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Ransdall Reinhart

Relford Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shear Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 010

Akin Boatright Broach Chrismer Foster

Hohulin Linton Naeger Pryor Purgason

PRESENT: 000

ABSENT WITH LEAVE: 003

Hall Reynolds Sheldon 104

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Days moved that the vote by which the bill passed be reconsidered.

Representative Dougherty moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1012, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1012** was read the third time and passed by the following vote:

AYES: 125

Alter Auer Backer Ballard Barnett
Barry 100 Bartlett Bauer Bennett Bland
Boucher Bray 84 Broach Burton Campbell
Carter Champion Clayton Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Donovan Dougherty Farnen
Fitzwater Foley Ford Franklin Fritts
Gaskill Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Harlan Hartzler 123 Heckemeyer Hegeman Hickey
Hilgemann Holand Hollingsworth Hosmer Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Koller Kreider Lakin Lawson
Leake Legan Levin Liese Long
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Monaco Murphy Murray
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Pouche Ransdall Relford Richardson
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Shear Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 033

Akin Bartelsmeyer Berkstresser Boatright Chrismer
Cierpiot Dolan Edwards-Pavia Elliott Enz
Evans Foster Froelker Gaston Hartzler 124
Hendrickson Hohulin Hoppe Howerton Klindt
Linton Lograsso Loudon Merideth Miller
Naeger Patek Pryor Purgason Reinhart
Ridgeway Summers Surface

PRESENT: 001

Bonner

ABSENT WITH LEAVE: 003

Cooper Hall Reynolds

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Kennedy moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS

HCS HBs 1094, 1213, 1311 & 1428, relating to estheticians, physician assistants, and real estate brokers, was taken up by Representative Treadway.

On motion of Representative Treadway, **HCS HBs 1094, 1213, 1311 & 1428** was read the third time and passed by the following vote:

AYES: 144

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Elliott Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Leake

Legan Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Ransdall Relford Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 014

Backer Bland Daniels 41 Edwards-Pavia Ford

Hohulin Kauffman Levin Pryor Purgason

Reinhart Schwab Sheldon 104 Troupe

PRESENT: 000

ABSENT WITH LEAVE: 004

Hall Lawson Patek Reynolds

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1315, relating to cancer screening, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HCS HB 1315** was read the third time and passed by the following vote:

AYES: 147

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kauffman Kelley 47 Kennedy

Kissell Klindt Koller Kreider Lakin

Leake Levin Liese Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Pouche Pryor

Purgason Ransdall Reinhart Relford Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 009

Ballard Hartzler 123 Hohulin Legan Linton

Lograsso Loudon Patek Townley

PRESENT: 000

ABSENT WITH LEAVE: 006

Crawford Hall Kasten Kelly 27 Lawson

Reynolds

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Thomason (163), title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

HS HCS HBs 1601, 1591, 1592, 1479 & 1615, relating to professional registration, was taken up by Representative Treadway.

On motion of Representative Treadway, **HS HCS HBs 1601, 1591, 1592, 1479 & 1615** was read the third time and passed by the following vote:

AYES: 142

Akin Alter Auer Backer Ballard

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Boatright Bonner Boucher Bray 84 Burton

Campbell Carter Champion Chrismer Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniel 42 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Franklin Fritts Gaskill Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Hegeman Hendrickson Hickey Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Purgason Ransdall Reinhart
Relford Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 017

Barnett Bennett Bland Broach Daniels 41
Foster Froelker Gaston Gunn Heckemeyer
Hohulin Kelley 47 Lograsso Miller Pryor
Sheldon 104 Troupe

PRESENT: 000

ABSENT WITH LEAVE: 003

Hall Reynolds Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Johnson, title to the bill was agreed to.

Representative Monaco moved that the vote by which the bill passed be reconsidered.

Representative O'Connor moved that motion lay on the table.

The latter motion prevailed.

HB 1240, relating to wine products, was taken up by Representative Parker.

On motion of Representative Parker, **HB 1240** was read the third time and passed by the following vote:

AYES: 144

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Franklin Fritts Froelker Gaskill Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Heckemeyer
Hegeman Hickey Hilgemann Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Pouche Pryor
Purgason Ransdall Reinhart Relford Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Van Zandt Vogel Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 012

Bland Foster Gaston Gibbons Hartzler 124
Hendrickson Hohulin Kelley 47 Levin Murphy
Patek Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 006

Hall Legan Reynolds Shear Summers
Troupe

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative DeMarce moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 32, relating to water pollution control bonds, was taken up by Representative Days.

On motion of Representative Days, **HJR 32** was read the third time and passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Harlan Hartzler 123 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Levin Liese Linton Lograsso
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Purgason Ransdall Reinhart Relford
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 004

Hartzler 124 Loudon Scott Townley

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartlett Hall Legan Long Pryor

Reynolds Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hollingsworth, title to the bill was agreed to.

Representative Lawson moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw assumed the Chair.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1768**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Correctional and State Institutions, Chairman Crump reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1648** and **HB 1709**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1056, HB 905, HB 1538** and **HB 1130**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1779**, begs leave to report it has

examined the same and recommends that it **Do Pass by Consent.**

Committee on Education - Elementary and Secondary, Chairman Stoll reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 976**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment Nos. 1 and 2.**

House Committee Amendment No. 1

AMEND House Bill No. 976, Page 2, Section 1, Line 29, by adding immediately after the words "**St. Louis**", the following:

"**and upon the adoption of the St. Louis Students' Bill of Rights by the voters of the district at a primary or general election.**

11. The proposal shall be submitted as follows:

Shall the St. Louis School District adopt the St. Louis Students' Bill of Rights?

YES NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon is in favor of the proposal, then the St. Louis Students' Bill of Rights shall be in effect upon the completion of the case of "Liddell V. Board of Education of the City of St. Louis"."

House Committee Amendment No. 2

AMEND House Bill No. 976, Page 2, Section 1, Line 29, by adding immediately after said line the following:

"**11. Any provisions of this section which are inconsistent with a settlement, final order or decree in the case of 'Liddell v. Board of Education of the City of St. Louis,' shall be null and void upon the settlement, final order or decree.**".

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 1796**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1796, Page 4, Section 166.440, Line 1, by inserting immediately after the number "**166.440.**" the number "**1.**"; and

Further amend said bill, Page 4, Section 166.440, Line 3, by inserting after all of said line the following:

"**2. No person serving on the board shall participate in such capacity in any decision regarding the investment of funds of the savings program in which:**

(1) The person knows that the person, or the person's spouse, child, or any firm or corporation in which the person has an ownership interest, or any trust in which the person has any legal, equitable or beneficial interest;

(2) The person knows that the person may receive a direct or indirect financial gain from any potential result of the investment decision, except that no provision in this subsection shall be construed to prohibit the person

from participating in any investment decision by reason of the fact that the state, or any agency of the state, or any agency of a political subdivision thereof, is involved in such investment.".

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 1394**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1394, Page 4, Section 414.400, Line 84, by inserting immediately after all of said line, the following:

"**The provisions of this subsection shall not apply to the purchase of used vehicles from the highway patrol.**"

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 1759**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1759, Page 2, Section 260.205, Line 24, by inserting immediately after the word "**session**" the following: "**at which the department shall be present**"; and

further amend said bill, page 2, section 260.205, line 26, by inserting immediately after the word "**newspaper**" the following: "**of general circulation**".

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred **additions to the "Bootheel" Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.470(2)(c)d.**

March 4, 1998

The Honorable Robert Clayton, Chairman

Ethics Committee

House Post Office, Room 114A

Jefferson City, Missouri 65101

Dear Representative Clayton:

I would like to request that Representatives Wayne Crump, Karl DeMarce and Ted Farnen be added to the list of members of the Bootheel Caucus.

Thank you for your consideration on this matter.

Sincerely,

/s/ Larry Thomason

/s/ Wayne Crump /s/ Karl DeMarce /s/ Ted Farnen

Mr. Speaker: Your Committee on Ethics, to which was referred **additions to the "Chuck" Caucus**, begs leave to

report it has examined the same and recommends that it **approves it pursuant to 105.470(2)(c)d.**

March 4, 1998

Representative Robert M. Clayton, Chairman

Ethics Committee

Room 114A

State Capitol

Dear Representative Clayton:

The "Chuck" Caucus has received three requests from Representatives who desire to become members of the "Chuck" Caucus.

It would be appreciated if the Representatives listed below are added to the "Chuck" Caucus.

Carl M. Vogel - 114 "Carlos Charles Chuck"

Karl DeMarce - 1 "Carlos Charles Chuck"

Carl Hendrickson - 97 "Carlos Charles Chuck"

Sincerely,

/s/ Chuck Wooten

Representative Chuck Wooten

/s/ Carl M. "Chuck" Vogel /s/ Karl "Chuck" DeMarce /s/ Carl "Chuck" Hendrickson

March 5, 1998

Representative Robert M. Clayton, Chairman

Ethics Committee

Room 114A

State Capitol

Dear Representative Clayton:

The "Chuck" Caucus has received yet another request from a Representative who desires to become a member of the "Chuck" Caucus.

It would be appreciated if the Representative listed below is added to the "Chuck" Caucus.

Carol Stoker - 78 "Charles" Carol Chuck"

Sincerely,

/s/ Chuck Wooten

Representative Chuck Wooten

/s/ Carol A. "Chuck" Stroker

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1043**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1627**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1799**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1834**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1117**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1140** and **HB 1329**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1385**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1622**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1668**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1698**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1729**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1767**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1807**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1847**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Municipal Corporations, Chairman Shelton (57) reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 1518**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 948**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HB 988**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 55, introduced by Representative Riback Wilson, relating to taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1915, introduced by Representative Hendrickson, et al, relating to adult establishments.

HB 1916, introduced by Representatives Merideth, DeMarce, Thomason (163), Purgason, Elliott, Burton and Pouche, et al, relating to certain high school and college courses.

HB 1917, introduced by Representatives Kelley (47), Boatright, Reinhart, Loudon, Pouche, Berkstresser and Edwards-Pavia, et al, relating to marriage.

HB 1918, introduced by Representatives Lograsso, Stokan, Hosmer, Ridgeway and Gaw, relating to affirmative defenses to sexual offenses.

HB 1919, introduced by Representative Merideth, relating to special school district funding.

HB 1920, introduced by Representatives Foley, Scheve, Hickey, O'Toole, Murray, Days, Green and Treadway, et al, relating to tax credits for renovation costs on certain older homes.

HB 1921, introduced by Representatives Stoll and Kennedy, relating to a department of labor and industrial relations administrative fund.

HB 1922, introduced by Representatives Berkstresser, Koller and Pryor, relating to marine sanitation devices.

HB 1923, introduced by Representatives Barry and Parker, relating to toll-free telephone access to members of the general assembly.

HB 1924, introduced by Representatives May (108) and O'Toole, relating to disciplinary procedures for certain law enforcement officers.

HB 1925, introduced by Representative Monaco, relating to peace officer standards and training.

HB 1926, introduced by Representative Thomason (163), relating to the oversight division of the joint committee on legislative research.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, March 18, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Seventh Day, Wednesday, March 11, 1998, pages 522 and 523, roll call, by showing Representative Murphy voting "aye" rather than "absent with leave".

Pages 523 and 524, roll call, by showing Representatives Cierpiot, Kreider, Lograsso and May (108) voting "aye"

rather than "absent with leave".

Pages 524 and 525, roll call, by showing Representative Cierpiot voting "aye" rather than "absent with leave".

Pages 525 and 526, roll call, by showing Representative Bennett voting "aye" rather than "absent with leave".

Page 528, roll call, by showing Representatives Cooper, Koller and Ransdall voting "no" rather than "absent with leave".

Page 528, roll call, by showing Representatives Naeger and O'Connor voting "aye" rather than "absent with leave".

Page 530, roll call, by showing Representatives Akin, Koller, Liese, Long, Naeger and O'Connor voting "aye" rather than "absent with leave".

Pages 532 and 533, roll call, by showing Representatives Bartelsmeyer, Berkstresser, Edwards-Pavia, Foley, Hartzler (124), Levin, Marble, Monaco, Naeger, Ross and Summers voting "aye" rather than "absent with leave".

Pages 533 and 534, roll call, by showing Representatives Boatright and May (108) voting "aye" rather than "absent with leave".

Pages 534 and 535, roll call, by showing Representative Gunn voting "aye" rather than "absent with leave".

Pages 537 and 538, roll call, by showing Representative Naeger voting "aye" rather than "absent with leave".

Pages 541 and 542, roll call, by showing Representative Scheve voting "no" rather than "absent with leave".

Pages 542 and 543, roll call, by showing Representative Vogel voting "aye" rather than "absent with leave".

Pages 544 and 545, roll call, by showing Representative McBride voting "aye" rather than "absent with leave".

Pages 546 and 547, roll call, by showing Representatives Troupe and Vogel voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, March 24, 1998. Hearing Room 9 upon morning adjournment. HB 1013.

COMMERCE

Monday, March 23, 1998. Hearing Room 9 upon evening adjournment.

Executive session.

To be considered - SB 707

CRIMINAL LAW

Wednesday, March 25, 1998. Hearing Room 9 upon evening adjournment.

Executive session may follow.

To be considered - HB 1832, HB 1670, HB 1481, HB 1878

CRITICAL ISSUES

Monday, March 23, 1998, 7:30 pm. Hearing Room 6.

To be considered - HB 1234, HB 1415, HB 981, HB 1210, HB 1907, HB 1798

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, March 24, 1998. Hearing Room 8 upon morning adjournment.

To be considered - HB 1886, HB 1318, HB 1846, Executive Session - HB 1086, Executive Session - HB 1087, Executive Session - HB 1702

ELECTIONS

Tuesday, March 24, 1998, 7:30 pm. Hearing Room 8.

To be considered - HB 1500, HB 1831

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 25, 1998, 8:30 am. Hearing Room 8.

To be considered - HJR 53, HB 1801, HB 1838, HB 1843, HB 1844

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Monday, March 23, 1998, 2:30 pm. Room 319. General discussion on hiring a research director.

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Monday, March 30, 1998, 10:30 am. Hearing Room 8. Discussion of 1115 Medicaid waiver proposal.

JUDICIARY

Tuesday, March 24, 1998. Hearing Room 5 upon morning adjournment.

To be considered - HB 1877, HB 1852

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 24, 1998, 1:00 pm. Hearing Room 7. Executive session to follow.

To be considered - HB 1881, HB 1536, HB 1788, HB 1778, HB 1282

HOUSE CALENDAR

Thirty-ninth Day, Wednesday, March 18, 1998

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 55

HOUSE BILLS FOR SECOND READING

HB 1915 through HB 1926

HOUSE BILLS FOR PERFECTION

HCS HB 1323 - Green

HB 1229 - Copeland

HCS HB 1681 & 1342 - Koller

HCS HB 1455 & 1463 - O'Toole

HB 1694, HCA 1 - Gaw

HCS HB 1434 - Thomason (163)

HCS HB 1038 - Carter

HB 1070 - Barry

HB 1322, HCA 1 - Foley

HCS HB 1526 - May (108)

HCS HB 1143 - Mays (50)

HCS HB 1636 - Hoppe

HCS HB 1198 - Auer

HCS HB 1189 - Liese

HCS HB 1656 - Bray

HCS HB 971 - Smith

HB 1258 - Bland

HCS HB 1441, 937 & 1795 - Luetkenhaus

HCS HB 977 & 1608 - Shelton (57)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(March 10, 1998)

HB 1033 - Franklin

HB 1794 - Monaco

HB 1508 - Relford

HB 1037 - Leake

HB 1300 - Kennedy

HB 931 - Carter

HB 898 - Heckemeyer

HB 1239 - Parker

HB 1309 - Clayton

HB 1566 - Johnson

HB 1299 - Skaggs

HB 1301 - Campbell

HB 1097 - Overschmidt

HB 1599 - Clayton

HB 1683 - Fitzwater

HB 968 - Barry

HB 1369 - Smith

HB 1454 - O'Toole

HB 1088 - Boucher

HB 1569 - Seigfreid

HB 1588 - Luetkenhaus

HB 1506 - O'Toole

HB 1763 - Stoll

HB 1055 - Thomason (163)

HB 1052 - Ford

HB 1511 - Koller

HB 1092 - Rizzo

HB 1162 - DeMarce

HB 1059 - Liese

HB 1707 - Liese

HB 1704 - Leake

HB 1562 - Relford

HB 1120 - Griesheimer

HB 1226 - May (108)

HB 1587 - Luetkenhaus

HB 1374 - Scheve

HB 1859 - Thomason (163)

HB 950 - Leake

HB 1228 - May (108)

HB 1748 - Wannenmacher

HB 996 - Kennedy

HB 1444 - May (108)

HB 1046 - O'Toole

HB 1080 - Auer

HB 1410 - Luetkenhaus

HB 1274 - Farnen

HB 1556 - Dougherty

HB 1272 - Holand

HB 1103 - May (108)

HB 1201 - Summers

HB 1607 - Richardson

HB 1107 - May (108)

HB 1718 - Chrismer

HB 1357 - Broach

HB 1090 - Auer

HB 955 - Lograsso

(March 11, 1998)

HB 1113 - DeMarce

HB 1149 - Campbell

HB 1304 - Foley

HB 1352 - Rizzo

HB 1531 - Hoppe

HB 1468 - Reynolds

HB 1507 - Bray

HB 1734 - Backer

HB 1157 - McClelland

HB 1419 - Riback Wilson

HB 1802 - Thomason (163)

HB 1586 - Hosmer

HB 944 - Long

HB 1730 - Townley

HB 1293 - Pouche

HB 1158 - McClelland

HB 1705 - Hoppe

HB 1480 - DeMarce

HB 1267 - Shields

HB 1084 - Vogel

(March 12, 1998)

HB 1216 - Monaco

HB 986 - Backer

HB 1869 - Wiggins

HB 1066 - Clayton

HB 1805 - Chrismer

HB 1747 - Ostmann

HB 1880 - Hickey

HB 1145 - Lakin

HB 1571 - Monaco

HB 1596 - Leake

HB 1791 - Clayton

HB 1528 - Smith

HB 1744 - Akin

HOUSE BILLS FOR THIRD READING

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1197, (Budget Fiscal 2-24-98) - Gunn

HS HCS HB 1412, (Budget Fiscal 3-9-98) - Harlan

HCS HB 1195, (Budget Fiscal 3-9-98) - May (108)

HS HCS HB 1095, (Budget Fiscal 3-10-98) - Smith

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HS HCS HB 1161, E.C. (Budget Fiscal 3-3-98) - Wiggins

BILL IN CONFERENCE

SCS HCS HB 1014, as amended - Franklin


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House Journal

Second Regular Session, 89th General Assembly

FORTIETH DAY, Monday, March 23, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"O Lord...You are our potter; we are all the work of Your hands." (Is. 64:7).

This is a special beginning for us as it always has been, the return from spring break, refreshed with family time, getting caught up on some work, and perhaps a vacation away from home.

Gracious God, we also acknowledge the mixed blessing of having received so much advice from constituents and family and friends about the issues facing us. There are so many issues, so much advice, so much that is so important for the leadership we provide as custodians of the moral heritage of the State as expressed through its government as well as the day-to-day operation of government.

Once more, Eternal God, we ask for the gifts we need to anchor our votes and deliberations on the best wisdom of the ages, so that we make the best decisions for our time. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Zachary McLuckie and Kramer McLuckie.

The Journal of the thirty-eighth day was approved as corrected.

The Journal of the thirty-ninth day was approved as printed.

RESOLUTIONS

Representative Murphy offered House Resolution No. 416, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Patek offered House Resolution No. 417 and House Resolution No. 418, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shields offered House Resolution No. 419, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hagan-Harrell offered House Resolution No. 420, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Troupe offered House Resolution No. 421, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Dolan offered House Resolution No. 422, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Dolan and Ostmann offered House Resolution No. 423, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith offered House Resolution No. 424, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reinhart offered House Resolution No. 425, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 426, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution No. 427, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 428, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pouche offered House Resolution No. 429, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 430 through House Resolution No. 437, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wooten offered House Resolution No. 438, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Copeland offered House Resolution No. 439, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 440 and House Resolution No. 441, which were referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 56 was read the second time.

SECOND READING OF HOUSE BILL

HB 1927 was read the second time.

SECOND READING OF SENATE BILLS

SB 701, SB 780 and **SB 848** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1033, HB 1794, HB 1508, HB 1037, HB 1300, HB 931, HB 898, HB 1239, HB 1309, HB 1566, HB 1299, HB 1301, HB 1097, HB 1599, HB 1683, HB 968, HB 1369, HB 1454, HB 1088, HB 1569, HB 1588, HB 1506, HB 1763, HB 1055, HB 1052, HB 1511, HB 1092, HB 1162, HB 1059, HB 1707, HB 1704, HB 1562, HB 1120, HB 1226, HB 1587, HB 1374, HB 1859, HB 950, HB 1228, HB 1748, HB 996, HB 1444, HB 1046, HB 1080, HB 1410, HB 1274, HB 1556, HB 1272, HB 1103, HB 1201, HB 1607, HB 1107, HB 1718, HB 1357, HB 1090** and **HB 955**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HB 1323, relating to membership of credit unions, was taken up by Representative Green.

Representative Green offered **HS HCS HB 1323**.

Representative Lograsso offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1323, Page 1, In the Title, Line 4, by deleting the word "six" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 8, by deleting the word "six" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 10, by deleting the word and number "and 370.082" and inserting in lieu thereof the following: ", 370.082, 370.083 and 370.084"; and

Further amend said bill, Page 4, Section 370.063, Line 11, by inserting after the period "." at the end of said line the following: "**If a court finds that the decision or the findings of the commission was arbitrary and capricious or not based on substantial evidence in the commission's possession, then the court shall set aside the findings and decision of the commission and enter its own findings and decision.**"; and

Further amend said bill, Page 6, Section 370.081, Line 8, by inserting after the word "**union**" the following: "**with total assets of less than one hundred million dollars membership**"; and

Further amend said bill, Page 7, section 370.081, Line 9, by deleting the word "**and**"; and

Further amend said bill, Page 7, Section 370.081, Line 14, by deleting the period "**.**" at the end of said line and inserting in lieu thereof the following: "**; and**

(3) The addition of the proposed new group or geographic area is not likely to increase the assets of the credit union to the point that the total assets of the credit union would exceed one hundred million dollars."; and

Further amend said bill, Page 8, Section 370.082, Line 11, by inserting after all of said line the following:

"**370.083. 1. Any credit union with total assets of one hundred million dollars or more as of its last report of condition is subject to the following:**

(1) Such credit union shall not add new groups or geographic areas to its membership other than those that were included on March 1, 1998, or on the date the credit union first had total assets of one hundred million dollars, whichever is later; or

(2) Such credit union may convert to a state savings bank provided in section 370.084.

2. Nothing in this section shall prohibit any credit union from converting to any other type of depository institution.

370.084. 1. Any credit union or federal credit union may be converted into a savings bank pursuant to the laws of the state of Missouri. Such savings bank shall be located in the city or town in which the converting credit union or federal credit union is located. Such credit union may, alone, or with one or more other credit unions or federal credit unions, be consolidated or merged with one or more savings banks under the charter of a savings bank, upon compliance with applicable federal laws and upon obtaining the approval of the director.

2. Upon a majority of the board of directors of a federal credit union certifying to the director that federal law relating to the conversion, consolidation or merger has been complied with, the majority of the board may complete the conversion, consolidation or merger on the part of the federal credit union. The rights, if any, of the dissenting members of the federal credit union shall be determined pursuant to federal law.

3. In the case of conversion, the majority of the board of directors of the credit union or federal credit union shall proceed as is provided by law for other individuals in incorporating a savings bank pursuant to the laws of this state except that the articles of agreement:

(1) May provide that instead of the membership shares having been paid up in money it is to be paid up in assets of the converting credit union or federal credit union, the net value of which is equal to at least the full amount of the capital of the proposed resulting savings bank;

(2) Shall provide that the proposed resulting savings bank is and shall be considered the same business and corporate entity as, and a continuation of the corporate entity and identity of the converting credit union or federal credit union although as to rights, powers and duties the proposed resulting institution is a savings bank incorporated pursuant to the laws of the state of Missouri;

(3) Shall set out the names and addresses of all persons who are to be officers of the proposed savings bank; and

(4) May provide that the resulting savings bank is a mutual association and is owned by the members as membership shares.

Notwithstanding any other provision of law, such mutual savings bank may elect that ownership of such mutual savings bank continues in the members and no member has more than one vote in any action such member is required to vote on.

4. If the director, as the result of an examination and investigation made of the converting credit union or federal credit union by the director, the director's deputies or the director's examiners, is satisfied that such assets are of such value and that the character, responsibility and general fitness of the persons named in the articles of agreement are such as to command confidence and warrant belief that the business of the proposed corporation will be honestly and efficiently conducted in accordance with the purpose and intent of the laws of this state relative to savings banks, the director shall grant the charter. If the director is not satisfied as to either or both matters, the director shall immediately give notice thereof to the majority of the board of directors of the converting credit union or federal credit union who shall have the same right of appeal as is provided by the laws of this state in the case of the proposed incorporators of a new savings bank.

5. Upon the approval of the particular conversion being granted the director shall execute and deliver to the majority of the board of directors of the converting credit union or federal credit union the director's certificate setting forth that the savings bank named in the certificate has been duly organized and is the institution resulting from the conversion of the credit union or federal credit union into the resulting savings bank, and that the resulting savings bank is and shall be considered the same business and corporate entity as, and a continuation of the corporate entity and identity of, the converting credit union or federal credit union. The certificate shall be recorded in the office of the recorder of deeds of the county or city in which the resulting savings bank is located and the recorded certificate, or certified copies of such certificate, shall be accepted in all courts of this state as evidence of the conversion of the credit union or federal credit union into the resulting savings bank and that the resulting savings bank is the same business and corporate entity as, and a continuation of the corporate entity and identity of the converting association or federal association.

6. When the director of finance has given the director's certificate as provided in subsection 5 of this section:

(1) The resulting savings bank and all its stockholders or members, directors, officers and employees shall have the same powers and privileges and be subject to the same duties and liabilities in all respect as in the case of such an institution had it originally organized as a savings bank pursuant to the laws of this state; and

(2) All the rights, franchises and interests of the converting credit union or federal credit union in and to every species of property, real, personal and mixed, and choses in action belonging to such credit union shall be deemed to be transferred to and vested in the resulting savings bank without any deed or other transfer.

7. In the case of consolidation or merger, the same shall be consummated by each federal credit union complying with federal laws relating to such federal credit union and also by each credit union or federal credit union and each savings bank complying with the provisions of the laws of this state relating to the consolidation or merger of banks. The rights of dissenting members of each federal credit union shall be

determined pursuant to the laws of this state or the United States, as applicable, and the rights of the dissenting members of each savings bank shall be determined as provided by the laws of this state in the case of consolidation or merger of banks. In the case of the consolidation or merger the resulting savings shall be and shall be considered the same business and corporate entity as, and a continuation of the corporate entity and identity of, each credit union or federal credit union and each savings bank which is a party to the consolidation or merger. The provisions of sections 362.610 to 362.810, RSMo, shall apply in the case of any such consolidation or merger even though one or more of the parties is a credit union or federal credit union or a savings bank instead of a bank as though each party to the consolidation or merger was a bank incorporated pursuant to the laws of the state of Missouri.".

Representative Lograsso moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 069

Alter Backer Ballard Barnett Bartelsmeyer

Berkstresser Boatright Burton Champion Cierpiot

Clayton Crawford DeMarce Elliott Fitzwater

Fritts Froelker Gaston Graham 106 Gratz

Griesheimer Gross Hall Hartzler 123 Hartzler 124

Hegeman Hohulin Holand Howerton Kasten

Kelley 47 Klindt Koller Leake Legan

Lograsso Long Luetkenhaus Marble McBride

McClelland Merideth Miller Naeger Nordwald

Overschmidt Parker Patek Pryor Purgason

Reinhart Relford Richardson Ridgeway Robirds

Ross Sallee Scott Seigfreid Shields

Skaggs Smith Steen Summers Surface

Thomason 163 Townley Vogel Williams 159

NOES: 081

Akin Auer Barry 100 Bartlett Bauer

Bennett Bland Bonner Boucher Bray 84

Broach Carter Chrismer Cooper Crump

Daniel 42 Davis 122 Davis 63 Days Dolan

Donovan Dougherty Enz Evans Farnen

Foley Ford Foster Franklin Gaskill

Graham 24 Green Gunn Hagan-Harrell Harlan

Heckemeyer Hendrickson Hickey Hilgemann Hollingsworth

Hosmer Johnson Kauffman Kelly 27 Kennedy

Kissell Kreider Lakin Lawson Levin

Liese Loudon May 108 Mays 50 McLuckie

Monaco Murphy Murray O'Connor O'Toole

Ostmann Pouche Ransdall Reynolds Rizzo

Scheve Schilling Sheldon 104 Shelton 57 Stokan

Stoll Stroker Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Wiggins Wilson Wooten

Mr. Speaker

PRESENT: 005

Campbell Gibbons Hoppe Linton Williams 121

ABSENT WITH LEAVE: 007

Copeland Daniels 41 Edwards-Pavia Schwab Secrest

Shear Wannenmacher

VACANCIES: 001

HCS HB 1323, with HS, pending, was laid over.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1928, introduced by Representative Parker, relating to disposal of sewage.

HB 1929, introduced by Representatives Patek, Leake and Summers, et al, relating to disposal of certain agricultural packaging and containers.

COMMITTEE REPORTS

Committee on Social Services, Medicaid and the Elderly, Chairman Gunn reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1476**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1837**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, March 24, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Seventh Day, Wednesday, March 11, 1998, pages 523 and 524, roll call, by showing Representative Kreider voting "aye" rather than "absent with leave".

Correct House Journal, Thirty-Eighth Day, Thursday, March 12, 1998, pages 565 and 566, roll call, by showing Representative Cooper voting "aye" rather than "absent with leave".

Pages 567 and 568, roll call, by showing Representatives Kasten and Kelly (27) voting "aye" rather than "absent with leave".

Pages 567 and 568, roll call, by showing Representative Crawford voting "no" rather than "absent with leave".

Pages 569 and 570, roll call, by showing Representative Summers voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, March 24, 1998. Hearing Room 9 upon morning adjournment. HB 1013.

BUDGET

Tuesday, March 24, 1998, 8:30 am. Hearing Room 9. Executive session on previously heard bills.

To be considered - HB 922, HB 1197

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 25, 1998. Hearing Room 6 upon morning adjournment.

Executive session to follow.

To be considered - SB 555, SB 684, SB 734

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, March 25, 1998, 1:00 pm. Hearing Room 9. AMENDED

To be considered - HB 1891

CRIMINAL LAW

Wednesday, March 25, 1998. Hearing Room 9 upon evening adjournment.

Executive session may follow. AMENDED

To be considered - HB 1670, HB 1481, HB 1878

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, March 24, 1998. Hearing Room 8 upon morning adjournment. AMENDED

To be considered - HB 1886, HB 1318, HB 1846, Executive Session - HB 1086,

Executive Session - HB 1087, Executive Session - HB 1702, SB 658

ELECTIONS

Tuesday, March 24, 1998, 7:30 pm. Hearing Room 8. AMENDED

To be considered - HB 1500, HB 1831, HCR 20, SCR 36

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 25, 1998, 8:30 am. Hearing Room 8.

To be considered - HJR 53, HB 1801, HB 1838, HB 1843, HB 1844

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Monday, March 30, 1998, 10:30 am. Hearing Room 8. Discussion of 1115 Medicaid waiver proposal.

JUDICIARY

Tuesday, March 24, 1998. Hearing Room 5 upon morning adjournment.

To be considered - HB 1877, HB 1852

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 24, 1998, 1:00 pm. Hearing Room 7. Executive session to follow.

To be considered - HB 1881, HB 1788, HB 1778, HB 1282, HB 1535

SUB-COMMITTEE OF PROFESSIONAL REGISTRATION

Tuesday, March 24, 1998, 8:30 am. Hearing Room 5. Accessibility of Missouri consumers to records of medical professionals.

SUB-COMMITTEE ON SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, March 24, 1998, 8:00 pm. Hearing Room 5.

To be considered - HB 1337

WAYS AND MEANS

Tuesday, March 24, 1998, 1:00 pm. Hearing Room 6.

To be considered - SB 675, HCR 15, HB 1849, SB 535

HOUSE CALENDAR

Forty-first Day, Tuesday, March 24, 1998

HOUSE BILLS FOR SECOND READING

HB 1928 and HB 1929

HOUSE BILLS FOR PERFECTION

HCS HB 1323, HS, pending - Green

HB 1229 - Copeland

HCS HB 1681 & 1342 - Koller

HCS HB 1455 & 1463 - O'Toole

HB 1694, HCA 1 - Gaw

HCS HB 1434 - Thomason (163)

HCS HB 1038 - Carter

HB 1070 - Barry

HB 1322, HCA 1 - Foley

HCS HB 1526 - May (108)

HCS HB 1143 - Mays (50)

HCS HB 1636 - Hoppe

HCS HB 1198 - Auer

HCS HB 1189 - Liese

HCS HB 1656 - Bray

HCS HB 971 - Smith

HB 1258 - Bland

HCS HB 1441, 937 & 1795 - Luetkenhaus

HCS HB 977 & 1608 - Shelton (57)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(March 11, 1998)

HB 1113 - DeMarce

HB 1149 - Campbell

HB 1304 - Foley

HB 1352 - Rizzo

HB 1531 - Hoppe

HB 1468 - Reynolds

HB 1507 - Bray

HB 1734 - Backer

HB 1157 - McClelland

HB 1419 - Riback Wilson

HB 1802 - Thomason (163)

HB 1586 - Hosmer

HB 944 - Long

HB 1730 - Townley

HB 1293 - Pouche

HB 1158 - McClelland

HB 1705 - Hoppe

HB 1480 - DeMarce

HB 1267 - Shields

HB 1084 - Vogel

(March 12, 1998)

HB 1216 - Monaco

HB 986 - Backer

HB 1869 - Wiggins

HB 1066 - Clayton

HB 1805 - Chrismer

HB 1747 - Ostmann

HB 1880 - Hickey

HB 1145 - Lakin

HB 1571 - Monaco

HB 1596 - Leake

HB 1791 - Clayton

HB 1528 - Smith

HB 1744 - Akin

(March 24, 1998)

HB 1837 - Hollingsworth

HB 1578 - Hilgemann

HB 1476 - Scheve

HB 1117 - Kreider

HB 1622 - Fritts

HB 948 - Long

HB 1627 - Green

HB 1834 - Stoll

HB 1698 - Hosmer

HB 1385 - Summers

HB 1767 - Berkstresser

HB 1779 - Riback Wilson

HB 1807 - Bartelsmeyer

HB 1847 - Kreider

HB 1862 - Crawford

HB 1043 - Gross

HOUSE BILLS FOR THIRD READING

HCS HB 1167, (Budget Fiscal 2-17-98) - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1197, (Budget Fiscal 2-24-98) - Gunn

HS HCS HB 1412, (Budget Fiscal 3-9-98) - Harlan

HCS HB 1195, (Budget Fiscal 3-9-98) - May (108)

HS HCS HB 1095, (Budget Fiscal 3-10-98) - Smith

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HS HCS HB 1161, E.C. (Budget Fiscal 3-3-98) - Wiggins

HOUSE BILLS FOR THIRD READING - CONSENT

HB 1033 - Franklin

HB 1794 - Monaco

HB 1508, E.C. - Relford

HB 1037 - Leake

HB 1300 - Kennedy

HB 931 - Carter

HB 898 - Heckemeyer

HB 1239 - Parker

HB 1309 - Clayton

HB 1566 - Johnson

HB 1299 - Skaggs

HB 1301 - Campbell

HB 1097 - Overschmidt

HB 1599 - Clayton

HB 1683 - Fitzwater

HB 968 - Barry

HB 1369 - Smith

HB 1454 - O'Toole

HB 1088 - Boucher

HB 1569 - Seigfreid

HB 1588 - Luetkenhaus

HB 1506 - O'Toole

HB 1763 - Stoll

HB 1055 - Thomason (163)

HB 1052 - Ford

HB 1511 - Koller

HB 1092 - Rizzo

HB 1162 - DeMarce

HB 1059 - Liese

HB 1707 - Liese

HB 1704 - Leake

HB 1562 - Relford

HB 1120 - Griesheimer

HB 1226 - May (108)

HB 1587, E.C. - Luetkenhaus

HB 1374 - Scheve

HB 1859 - Thomason (163)

HB 950 - Leake

HB 1228 - May (108)

HB 1748 - Wannenmacher

HB 996 - Kennedy

HB 1444 - May (108)

HB 1046 - O'Toole

HB 1080 - Auer

HB 1410 - Luetkenhaus

HB 1274 - Farnen

HB 1556 - Dougherty

HB 1272, E.C. - Holand

HB 1103 - May (108)

HB 1201 - Summers

HB 1607 - Richardson

HB 1107 - May (108)

HB 1718 - Chrismer

HB 1357 - Broach

HB 1090 - Auer

HB 955 - Lograsso

BILL IN CONFERENCE

SCS HCS HB 1014, as amended - Franklin

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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

FORTY-FIRST DAY, Tuesday, March 24, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"May I be rescued...from the watery depths." (Ps. 69:15).

It is the morning after the Academy Awards' Oscar night. Dominating the night was the film Titanic, which almost did not get to the screen in the first place because of production difficulties and somehow captured the imagination of so many people. The romantic story is what reviewers focus on, however, it is also a story of the rest of our human experience, arrogance, attempts at class distinction, greed and abuse of power.

Eternal God, we see the Titanic a metaphor for life - technology which could not overcome the power of nature and its own inherent limits, our craven human nature which grovels in pride and greed which destroy and prey on others who are different. Shining through was a fantasy about human love and a special piece of jewelry. May lasting values, and especially the "pearl of great price", Your love for us, God of Love, guide us through the swirling flood of our daily lives.

Meantime, gracious God, it is back to reality for us and let us make the effort to make the rest of this session "As Good As It Gets," with apologies to last night's other movie. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Michael Douglass, Bryan Douglass, Scott Heaney, Laura Obermeier, Patrick Reiter, Sarah Meyerhoff, Daniel Baker, Deanna Boggs, Kenton Wheeler, Lisa Burks, Mary Quinn, Jennifer Holt, Darcy Dorrell, Ben Finke, Stephanie Schutt, Elizabeth Maloney, Brennan Becker, Morgan Becker, Emily Maples and Daniel Wheeler.

The Journal of the fortieth day was approved as corrected.

RESOLUTIONS

Representative Holand offered House Resolution No. 442, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gross offered House Resolution No. 443, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith offered House Resolution No. 444, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stokan offered House Resolution No. 445, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Chrismer offered House Resolution No. 446, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Luetkenhaus offered House Resolution No. 447, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Dolan offered House Resolution No. 448, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Luetkenhaus offered House Resolution No. 449, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith offered House Resolution No. 450, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Dolan offered House Resolution No. 451 and House Resolution No. 452, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ostmann offered House Resolution No. 453, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution No. 454, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reinhart offered House Resolution No. 455, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Seigfreid offered House Resolution No. 456, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kasten offered House Resolution No. 457, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 458, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1928 and **HB 1929** were read the second time.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HB 1095 (Fiscal Note)**, begs leave to report it has been furnished a corrected fiscal note and does not require Budget Committee fiscal review.

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1161 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HB 1167 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HB 1197 (Fiscal Note)**, begs leave to report it has been furnished a corrected fiscal note and does not require Budget Committee fiscal review.

PERFECTION OF HOUSE BILL

HCS HB 1323, with HS pending, relating to membership of credit unions, was again taken up by Representative Green.

Representative Burton offered House Amendment No. 2

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1323, Page 5, Section 370.080, by striking lines 8 to 14, and inserting in lieu thereof the following:

"2. **A** credit union organization shall be limited to **a** group[s] of [both] **either** large [and] **or** small membership having [a common bond of occupation or association or to groups residing within a well defined neighborhood, community, or rural district] **a common bond within one of the following categories:**

(1) Occupation;

(2) Association;

(3) Individuals residing within a well defined neighborhood, community or rural district. Furthermore, a well defined neighborhood, community or rural district shall not exceed the limits of the greater of one incorporated community or one county, and shall not include zip codes as means to define such neighborhood, community or districts.

Representative Burton moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 071

Akin Alter Backer Ballard Barnett

Bartelsmeyer Berkstresser Boatright Burton Champion

Chrismer Clayton Cooper Crawford Davis 122

DeMarce Dolan Elliott Evans Fitzwater

Fritts Froelker Gaskill Gaston Graham 106

Gratz Griesheimer Gross Hall Hartzler 123

Hartzler 124 Hohulin Holand Howerton Kelley 47

Klindt Leake Legan Long Luetkenhaus

Marble McBride Merideth Miller Naeger

Nordwald Overschmidt Parker Patek Pryor

Purgason Ransdall Reinhart Relford Rizzo

Robirds Sallee Scott Seigfreid Shields

Skaggs Smith Steen Summers Surface

Thomason 163 Townley Vogel Wannenmacher Williams 159

Wilson

NOES: 077

Auer Barry 100 Bartlett Bauer Bennett

Bland Boucher Bray 84 Broach Carter

Cierpiot Crump Daniel 42 Daniels 41 Davis 63

Days Donovan Dougherty Edwards-Pavia Enz

Farnen Foley Ford Foster Franklin

Graham 24 Green Gunn Hagan-Harrell Harlan

Heckemeyer Hendrickson Hickey Hilgemann Hollingsworth

Hosmer Johnson Kauffman Kelly 27 Kennedy

Kissell Kreider Lakin Lawson Levin

Liese Loudon May 108 Mays 50 McClelland

McLuckie Monaco Murphy Murray O'Connor

O'Toole Ostmann Pouche Reynolds Ridgeway

Ross Scheve Schilling Secrest Sheldon 104

Shelton 57 Stokan Stoll Stroker Thompson 37

Thompson 72 Treadway Troupe Van Zandt Wiggins

Wooten Mr. Speaker

PRESENT: 005

Campbell Gibbons Hegeman Linton Williams 121

ABSENT WITH LEAVE: 009

Bonner Copeland Hoppe Kasten Koller

Lograsso Richardson Schwab Shear

VACANCIES: 001

Representative Skaggs offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1323, Page 1, In the Title, Line 4 of said page, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 8 of said page, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 10 of said page, by deleting the word and figure "and 370.082" and inserting in lieu thereof the following: ", 370.082 and 1"; and

Further amend said bill, Page 8, Section 370.082, Line 11 of said page, by inserting after all of said line the following:

"**Section 1. Notwithstanding any other provision of chapter 370, RSMo, to the contrary, a credit union with more than one common bond in any of the categories of occupation, association, interest or community, shall meet the following conditions when adding any additional common bond group:**

(1) By operation of law, such credit union shall have an additional responsibility for low to moderate income persons who are members or potential members of any current group or groups;

(2) The director of the division of credit unions shall review such credit union's performance in serving such low to moderate income persons, in substantial compliance with all aspects of the Community Reinvestment Act, 12 U.S.C. 2901, et seq., as amended, which is hereby made applicable to all state chartered credit unions taking into consideration the differences between credit unions and other mutual depositary financial institutions. Such director shall certify in the Missouri Register that such credit union has satisfied or failed to satisfy this section, at the time the director approves or disapproves the addition of one or more new groups; and

(3) Any person impacted by such credit union's failure to comply with this section or the credit union's expansion, shall have standing to challenge any addition of a new common bond by such credit union, for failure to comply with this section, by challenging the credit union before the credit union commission within sixty days of publication in the Missouri Register, and, as otherwise provided by law, de novo in the circuit court of Cole County.".

HCS HB 1323, with House Amendment No. 3 and HS, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 695, entitled:

An act to authorize the board of regents of Southeast Missouri State University to convey certain property of Southeast Missouri State University in Cape Girardeau County Missouri, to the city of Cape Girardeau.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 766, entitled:

An act to repeal section 558.019, RSMo 1994, relating to sentencing, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency Clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 819, entitled:

An act to repeal section 56.067, RSMo 1994, and sections 50.333, 56.066 and 56.265, RSMo Supp. 1997, relating to county prosecuting attorneys, and to enact in lieu thereof four new sections relating to the same subject, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

and passed SB 898, entitled:

An act to repeal sections 320.300, 320.302, 320.305 and 320.307, RSMo 1994, relating to fire protection districts, and to enact in lieu thereof four new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 917, entitled:

An act to repeal section 65.230, RSMo 1994, and section 50.660, RSMo Supp. 1997, relating to county administration, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joe Bess, Jeremy McMillian, Amanda Easter, Brad Dush, Valerie Commerford, Jennifer Russell, Amanda Wyrick, Angelica Leigh, Kelly Briesacher, Trevor Young, Jeremiah Whiteside, Nora Bernard, Ashley Trostel, Heather Wood, Tequila Redwine, Casey Ray, Kayla Jameson, Jessica Cox, Meagan Wold, Sara Kirchner, Tiffany Thomas, Amanda Vinson, Jessica A. Dodson and Staci Agner.

RESOLUTIONS

Representative Monaco offered House Resolution No. 459 and House Resolution No. 460, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 461 and House Resolution No. 462, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Pouche and Cooper offered House Resolution No. 463 through House Resolution No. 467, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HB 1113, HB 1149, HB 1304, HB 1352, HB 1531, HB 1468, HB 1507, HB 1734, HB 1157, HB 1419, HB 1802, HB 1586, HB 944, HB 1730, HB 1293, HB 1158, HB 1705, HB 1480, HB 1267 and HB 1084, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on SCS HCS HB 1014, as amended are allowed to exceed the differences on

SA 2.

MOTION

Representative Franklin moved that the House conferees be allowed to exceed the differences on SCS HCS HB 1014, as amended, Section 14.045, to insert clarifying language in that section.

Which motion was adopted.

PERFECTION OF HOUSE BILLS

HCS HB 1323, with House Amendment No. 3 and House Substitute pending, relating to membership of credit unions, was again taken up by Representative Green.

Representative Skaggs moved that House Amendment No. 3 be adopted.

Which motion was defeated.

Representative Relford offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1323, Page 1, In the Title, Line 4, by striking the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, same page, section A, line 1, by striking the word, "six" and inserting in lieu thereof the word, "seven", and line 11, by striking the numbers "and 370.082" and inserting in lieu thereof the following: 370.082, and 1,; and

Further amend said bill, page 8, section 370.082, line 11, by inserting immediately after line 11, a section to read as follows:

Section 1. Notwithstanding any other law to the contrary, a credit union with more than one common bond as determined under the law in effect on January 1, 1998, in any of the categories of occupation, association, interest, and community, shall be limited to and subject to the same federal laws, that limit a federal credit union for: common bonds within the categories of occupation, association, interest, or community; serving the people of modest needs, and capital and reserve requirements. When such federal laws limiting the credit union are amended from time to time, such amended changes shall govern the credit union.

Representative Relford moved that House Amendment No. 4 be adopted.

Which motion was defeated.

Representative Skaggs offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1323, Page 1, In the Title, Line 2, by deleting the word "section" and inserting in lieu thereof the following: "sections 370.005 and";

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 8, by deleting the word "Section" before the number "370.080" and inserting in lieu thereof the following: "Sections 370.005 and"; and

Further amend said bill, Page 1, Section A, Line 8, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 9, by inserting after the word "sections" at the end of said line the following: "370.005,"; and

Further amend said bill, Page 1, Section A, Line 11, by inserting after all of said line the following:

"370.005. 1. As used in this chapter, the term "director" means the director of the division of credit unions which shall become a part of the division of finance of the department of economic development. The duties, responsibilities and power vested in the division of credit unions shall be vested in the division of finance. Whenever there is any reference to the director of the division of credit unions as to the director in this chapter, that is hereby defined to mean the director of the division of finance.

2. The director of the division of finance shall regulate state credit unions as financial cooperatives as provided in this chapter and not as commercial banks. Such director shall not penalize credit unions for any of the following:

(1) Very small loans;

(2) A low return on assets (ROA); or

(3) A low return on equity (ROE).

Speaker Gaw resumed the Chair.

Representative Skaggs moved that House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 067

Alter Ballard Barnett Bartelsmeyer Berkstresser

Boatright Burton Champion Chrismer Cierpiot

Clayton Cooper Crawford Davis 122 Elliott

Evans Fitzwater Fritts Froelker Gaskill

Gaston Graham 106 Gratz Griesheimer Gross

Hartzler 123 Hartzler 124 Hohulin Holand Howerton

Kasten Klindt Koller Lakin Leake

Legan Long Luetkenhaus McBride Miller

Naeger Nordwald Overschmidt Parker Patek

Pryor Purgason Ransdall Reinhart Relford

Richardson Ridgeway Robirds Sallee Scott

Secrest Seigfreid Shields Skaggs Smith

Steen Summers Thomason 163 Townley Vogel

Wannenmacher Williams 159

NOES: 079

Akin Auer Backer Barry 100 Bartlett

Bauer Bennett Bland Boucher Bray 84

Broach Carter Crump Daniel 42 Daniels 41
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Enz Farnen Foley
Ford Foster Franklin Graham 24 Green
Gunn Hagan-Harrell Harlan Heckemeyer Hendrickson
Hickey Hilgemann Hollingsworth Hosmer Johnson
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Kreider Lawson Levin Liese Loudon
May 108 Mays 50 McClelland McLuckie Merideth
Monaco Murphy Murray O'Connor O'Toole
Ostmann Pouche Reynolds Ross Scheve
Schilling Sheldon 104 Shelton 57 Stokan Stoll
Stroker Surface Thompson 72 Treadway Van Zandt
Wiggins Wilson Wooten Mr. Speaker

PRESENT: 007

Campbell Gibbons Hegeman Hoppe Lenton
Thompson 37 Williams 121

ABSENT WITH LEAVE: 009

Bonner Copeland Hall Lograsso Marble
Rizzo Schwab Shear Troupe

VACANCIES: 001

On motion of Representative Green, HS HCS HB 1323 was adopted.

On motion of Representative Green, HS HCS HB 1323 was ordered perfected and printed by the following vote:

AYES: 090

Akin Alter Auer Backer Barry 100
Bartlett Bauer Bennett Bland Boucher
Bray 84 Broach Carter Champion Chrismer
Cierpiot Cooper Daniel 42 Daniels 41 Davis 63
Days Dolan Donovan Dougherty Edwards-Pavia
Enz Evans Farnen Foley Ford
Foster Franklin Graham 24 Green Gross

Gunn Hagan-Harrell Harlan Hendrickson Hickey

Hilgemann Hollingsworth Hosmer Johnson Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Lakin

Lawson Levin Liese Lograsso Loudon

Luetkenhaus May 108 Mays 50 McClelland McLuckie

Monaco Murphy Murray O'Connor O'Toole

Ostmann Pouche Ransdall Reynolds Richardson

Rizzo Ross Scheve Schilling Secrest

Sheldon 104 Shelton 57 Stokan Stoll Stroker

Surface Thompson 37 Thompson 72 Treadway Van Zandt

Wiggins Williams 159 Wilson Wooten Mr. Speaker

NOES: 057

Ballard Barnett Bartelsmeyer Berkstresser Boatright

Burton Clayton Crawford Crump Davis 122

DeMarce Elliott Fitzwater Fritts Froelker

Gaskill Gaston Graham 106 Gratz Griesheimer

Hartzler 123 Hartzler 124 Heckemeyer Hohulin Holand

Howerton Klindt Koller Kreider Leake

Legan Long McBride Merideth Miller

Naeger Nordwald Overschmidt Parker Patek

Pryor Purgason Relford Ridgeway Robirds

Sallee Scott Seigfreid Shields Skaggs

Smith Steen Summers Thomason 163 Townley

Vogel Wannenmacher

PRESENT: 007

Campbell Gibbons Hegeman Hoppe Kasten

Linton Williams 121

ABSENT WITH LEAVE: 008

Bonner Copeland Hall Marble Reinhart

Schwab Shear Troupe

VACANCIES: 001

HB 1229, relating to deferred compensation, was taken up by Representative Leake.

On motion of Representative Leake, HB 1229 was ordered perfected and printed.

HCS HBs 1681 & 1342, relating to transportation oversight, was taken up by Representative Koller.

Representative Shields offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bills Nos. 1681 and 1342, Page 3, Section 21.795, Line 55, by inserting immediately after all of said line the following:

"(8) The total amount of regionally earmarked federal highway funds and the amount of these funds that are being used for projects identified in the fifteen-year road and bridge program adopted in 1992;

(9) An accounting by region of the total amount of state, federal and earmarked federal highway funds expended in the various regions of the state;"; and

Further amend said bill, Page 3, Section 21.795, Line 56, by deleting the figure "(8)" and inserting in lieu thereof the figure "(10)"; and

Further amend said bill, Page 3, Section 21.795, Line 58, by deleting the figure "(9)" and inserting in lieu thereof the figure "(11)".

On motion of Representative Shields, House Amendment No. 1 was adopted.

Representative Backer offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bills Nos. 1681 & 1342, Page 1, Section 21.795, Line 4, by deleting the word "three" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section 21.795, Line 9, by inserting immediately after the word "research," the following: "the director of house appropriations, the director of senate appropriations, the director of the office of administration's division of budget and planning,"; and

Further amend said bill, Page 2, Section 21.795, Line 20, by inserting immediately after the word "independent" the word "certified"; and

Further amend said bill, Page 2, Section 21.795, Line 22, by inserting immediately after the word "accepted" the word "government"; and

Further amend said bill, Page 2, Lines 25 to 34, by deleting all of said lines and inserting in lieu thereof the following:

"(b) Any other revenues available to the department by source;

(c) Funds appropriated and expended for contracts;

(d) Funds appropriated and expended for right-of-way purchases;

(e) Funds appropriated and expended for preliminary and construction engineering;

(f) Funds appropriated and expended for maintenance operations; and

(g) Funds appropriated and expended for department administration.

All expenditures by the department for personal services including fringe benefits, all categories of expense and equipment, real estate and capital improvements shall be assigned to the categories listed in this subdivision in conformity with generally accepted government accounting principles;"; and

Further amend said bill, Page 2, Section 21.795, Line 47, by deleting all of said line and inserting in lieu thereof the following: "Bridge Program adopted in January, 1992, including the original cost estimates, updated estimates and the final"; and

Further amend said bill, Page 2, Section 21.795, Line 49, by inserting immediately after the word "exceeding" the following: "one million dollars or"; and

Further amend said bill, Page 2, Section 21.795, Line 50, by deleting the words "final cost estimates" and inserting in lieu thereof the words "original cost estimates"; and

Further amend said bill, Page 3, Section 21.795, Line 57, by deleting the word "and"; and

Further amend said bill, Page 3, Section 21.795, Line 58, by inserting immediately after the number "(9)" the following:

"A schedule integrating the comprehensive financial report required by this subsection with the department's annual budget; and

(10)"; and

Further amend said bill, Page 3, Section 226.040, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following: "226.040. 1. The state highways and transportation commission shall appoint a chief executive"; and

Further amend said bill, Page 3, Section 226.040, Line 13, by inserting immediately after the word "RSMo" the following: ", with changes from the most recent audited report clearly marked".

Representative Koller offered House Amendment No. 1 to House Amendment No. 2.

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 1681 & 1342, Page 3, Section 226.040, by inserting after the word "executive" with majority approval of the Joint Committee on Transportation Oversight.

On motion of Representative Koller, House Amendment No. 1 to House Amendment No. 2 was adopted.

Representative Pryor offered House Amendment No. 2 to House Amendment No. 2.

House Amendment No. 2

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 1681 & 1342, Page 1, Section 21.795, Line 7, by deleting the words "the director of the office of administrations division of Budget and Planning", and

Further amend said bill, line 4, by deleting the word "six" and inserting in lieu thereof the word "five".

On motion of Representative Pryor, House Amendment No. 2 to House Amendment No. 2 was adopted.

On motion of Representative Backer, House Amendment No. 2, as amended, was adopted.

Representative Barnett offered House Amendment No. 3.

House Amendment No. 3 was withdrawn.

On motion of Representative Koller, HCS HBs 1681 & 1342, as amended, was adopted.

On motion of Representative Koller, HCS HBs 1681 & 1342, as amended, was ordered perfected and printed.

HCS HBs 1455 & 1463, relating to St. Louis police and firefighter retirement, was taken up by Representative O'Toole.

Representative O'Toole offered HS HCS HBs 1455 & 1463.

Representative Rizzo offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1455 and 1463, Page 1, In the title, Line 2, by inserting after the word "repeal" the following: "sections 86.390, 86.440, 86.441, 86.483, 86.680 and 86.750, RSMo 1994, and"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word and number "and 87.371" and inserting in lieu thereof the following: ", 86.371, 86.447, 86.620 and 86.672"; and

Further amend said bill, Page 1, In the title, Line 6, by deleting the word "seven" and inserting in lieu thereof the word "sixteen"; and

Further amend said bill, Page 1, Section A, Lines 11 and 12, by deleting all of said lines and inserting in lieu thereof the following: "Section A. Sections 86.390, 86.440, 86.441, 86.483, 86.680 and 86.750, RSMo 1994, and sections 86.251, 86.256, 86.260, 86.280, 86.283, 86.287, 86.447, 86.620 and 86.672, RSMo Supp. 1997, are repealed and fifteen new sections"; and

Further amend said bill, Page 1, Section A, Line 14, by deleting the word and number "and 86.287" and inserting in lieu thereof the following: ", 86.287, 86.390, 86.440, 86.441, 86.447, 86.483, 86.620, 86.672, 86.680 and 86.750"; and

Further amend said bill, Page 22, Section 86.287, Line 3, by inserting after all of said line the following:

"86.390. 1. Each person who becomes a member of this police retirement system pursuant to the provisions of sections 86.370 to 86.497 shall remain a member until the earliest to occur of the following events:

(1) The termination of service of such person and the payment to him of all benefits due him pursuant to the provisions of sections 86.370 to 86.497, unless such termination of service with the police department shall be for the purpose of entering military service in a national emergency;

(2) The termination of service with the police department to enter military service in a national emergency and the failure of such person to return to police service with such department within one year after his discharge from the military service, unless there shall remain benefits due such person pursuant to the provisions of sections 86.370 to 86.497, in which event such person's membership shall terminate pursuant to this subdivision when there shall no longer remain any such benefits due such person; and

(3) The death of such person.

2. [Beneficiaries and survivors of members] If the surviving spouse of a member is entitled to a pension benefit pursuant to the provisions of sections 86.370 to 86.497, such surviving spouse shall be a member of the retirement system for so long as such surviving spouse shall remain entitled to such benefit. Any beneficiary or survivor of a deceased member shall not be deemed [members] a member of this police retirement system if such beneficiary or survivor is not a surviving spouse entitled to benefits pursuant to the provisions of sections 86.370 to 86.497, irrespective of whether there may remain benefits due [them] such beneficiary or survivor from this system.

[86.440. Those members having ten or more but less than twenty-five years of creditable service who prior to March 25, 1968, have retired on a pension shall be entitled to receive a minimum annual pension of nine

hundred dollars beginning with March 25, 1968.]

86.440. Any member who retires after August 28, 1998, who is entitled to a pension benefit pursuant to the provisions of sections 86.370 to 86.497 and who either has at least twenty-five years of creditable service or is retired as a result of an accident or illness occurring in the line of duty or course of employment pursuant to section 86.450, shall receive a pension benefit which, when added to any supplemental retirement benefits paid such member by this retirement system and any cost-of-living adjustments to amounts otherwise payable by this system, shall be not less than six hundred dollars monthly. Any member who retired on or before August 28, 1998, who is entitled to a pension benefit pursuant to the provisions of sections 86.370 to 86.497 and who either had at least twenty-five years of creditable service or was retired as a result of an accident or illness occurring in the line of duty or course of employment pursuant to section 86.450, shall upon application to the retirement board be appointed by the retirement board as a special consultant on the problems of retirement, aging and other matters, and upon request of the retirement board shall give opinions and be available to give opinions in writing or orally in response to such requests, as may be required. For such services the member shall, beginning the later of August 28, 1998, or the time of such appointment pursuant to this section, be compensated in such amount as shall make the aggregate benefits received by such member from this retirement system, including cost-of-living adjustments and supplemental retirement benefits provided by this system, together with compensation paid pursuant to this section, equal to not less than six hundred dollars monthly.

86.441. 1. Any member who retires on a pension subsequent to August 13, 1972, may receive each year, beginning January 1, 1972, in addition to [his] such member's base pension, a cost-of-living adjustment in an amount not to exceed three percent of [his] such member's base pension during any one year provided that the retirement pension system shall remain actuarially sound.

2. Any member who was retired on August 13, 1972, may receive each year, beginning January 1, 1986, in addition to [his] such member's base pension, a cost-of-living adjustment in an amount not to exceed three percent of [his] such member's base pension during any one year, provided that the retirement pension system shall remain actuarially sound.

3. If a member who has been retired and receiving a pension dies after September 28, 1987, the surviving spouse or children of such member entitled to receive a base pension pursuant to section 86.447 shall also receive a percentage cost-of-living adjustment to their respective base pension equal to the total percentage cost-of-living adjustments received during [his] such member's lifetime pursuant to this section.

4. The cost-of-living adjustment shall be an increase or decrease computed on the base pension amount by using the consumer price index to determine the percentage of increase or decrease; but in no event shall the adjustment reduce the pension to an amount less than the base pension. The retirement board shall utilize the consumer price index for urban wage earners and clerical workers for Kansas City, Missouri, published by the Bureau of Labor Statistics, United States Department of Labor, in determining the percentage increment for such cost-of-living adjustment or, in the event such index is or becomes unavailable, the retirement board may select such other index as it in its discretion determines to be satisfactory.

5. In determining and granting the cost-of-living adjustments, the retirement board shall adopt such rules and regulations as may be necessary to effectuate the purposes of this section including provisions for the manner of computation of such adjustments and the effective dates thereof. The retirement board shall provide for such adjustments to be determined once each year and granted on a date or dates to be chosen by the board and may apply such adjustments in full to members who have retired during the year prior to such adjustments but who have not been retired for one full year and to the surviving spouse or children of a member who has died during the year prior to such adjustments.

6. As used in this cost-of-living adjustment section, the term "base pension" shall mean, when used in connection with a member, the pension computed under the provisions of the law as of the date of retirement of the member without regard to cost-of-living adjustment and, when used in connection with a surviving spouse or children of a member, the pension computed under the provisions of the law as of the date of death of the member without regard to cost-of-living adjustment except as provided in section 86.447. For the purposes of subsections 1 and 2 of this section, the term "member" shall include a surviving spouse entitled to pension benefits from this retirement system who has not remarried and any children of the member who are entitled to receive part or all of the pension which would be received by a surviving spouse who had not remarried or died.

7. The determination of whether the retirement pension system will remain actuarially sound shall be made at the time any cost-of-living adjustment is granted. If at any time the retirement pension system becomes actuarially unsound, pension payments shall continue as adjusted by increases theretofore granted. A member of the retirement board shall have no personal liability for granting increases under this section if that retirement board member in good faith relied and acted upon advice of a qualified actuary that the retirement pension system would remain actuarially sound.

86.447. 1. Upon receipt of the proper proofs of death of a member in service for any reason whatever or of the

death of a member after having been retired and pensioned, there shall be paid, in addition to all other benefits, the following:

(1) [To his] If a member dies while in service, such member's surviving spouse, if any, shall be paid a base pension equal to forty percent of the final compensation of such member, subject to [adjustment] subsequent adjustments, if any, as provided in section 86.441[, which pension shall terminate on the remarriage of such surviving spouse];

(2) If a member retires or terminates service after August 28, 1998, and dies after commencement of benefits pursuant to the provisions of sections 86.370 to 86.497, the member's surviving spouse, if any, shall be paid a base pension equal to eighty percent of the pension being received by such member, including cost-of-living adjustments to such pension but excluding supplemental retirement benefits, at the time of such member's death, subject to subsequent adjustments, if any, as provided in section 86.441;

(3) If a member retired or terminated service on or before August 28, 1998, and died after August 28, 1998, and after commencement of benefits, such member's surviving spouse shall upon application to the retirement board, be appointed and employed by the retirement board as a special consultant on the problems of retirement, aging and other matters, and upon request of the retirement board shall give opinions and be available to give opinions in writing or orally in response to such requests, as may be required. For such services, the surviving spouse shall, beginning the later of August 28, 1998, or the time of such appointment pursuant to this subsection, be compensated in such amount as shall make the benefits received by such surviving spouse pursuant to this subsection equal to eighty percent of the pension being received by such member, including cost-of-living adjustments to such pension but excluding supplemental retirement benefits, at the time of such member's death, subject to subsequent adjustments, if any, as provided in section 86.441;

(4) For any member who dies after August 28, 1998, and who either had at least twenty-five years of creditable service or was retired as a result of an accident or illness occurring in the line of duty or course of employment pursuant to section 86.450, the surviving spouse's benefit provided pursuant to this subsection, when added to any supplemental retirement benefits paid such surviving spouse by this retirement system and any cost-of-living adjustments to amounts otherwise payable by the retirement system, shall not be less than six hundred dollars per month. For any member who dies on or before August 28, 1998, and who either had at least twenty-five years of creditable service or was retired as a result of an accident or illness occurring in the line of duty or course of employment pursuant to section 86.450, the surviving spouse shall upon application to the retirement board be appointed by the retirement board as a special consultant on the problems of retirement, aging and other matters, and upon request of the retirement board shall give opinions and be available to give opinions in writing or orally in response to such requests, as may be required. For such services the surviving spouse shall, beginning the later of August 28, 1998, or the time the appointment is made pursuant to this subsection, be compensated in such amount as shall make the aggregate benefits received by such surviving spouse from this retirement system, including cost-of-living adjustments and supplemental retirement benefits provided by this system, together with compensation paid pursuant to this section, equal to not less than six hundred dollars per month;

[(2) To his] (5) Such member's child or children under the age of eighteen years at the time of the member's decease, shall be paid fifty dollars per month each, subject to adjustment, if any, as provided in section 86.441, until he or she shall attain the age of eighteen years; however, each such child who is or becomes a full-time student at an accredited educational institution shall continue to receive payments hereunder for so long as such child shall remain such a full-time student or shall be in a summer or other vacation period scheduled by the institution with intent by such child, demonstrated to the satisfaction of the retirement board, to return to such full-time student status upon the resumption of the institution's classes following such vacation period, but in no event shall such payments be continued after such child shall attain the age of twenty-one years except as hereinafter provided. Any child eighteen years of age or older, who is physically or mentally incapacitated from wage earning, so long as such incapacity exists as certified by a member of the medical board, shall be entitled to the same benefits as a child under the age of eighteen;

[(3)] (6) A funeral benefit of one thousand dollars.

2. For purposes of this section, commencement of benefits shall begin, for any benefit, at such time as all requirements have been met entitling the member to a payment of such benefit at the next following payment date, disregarding advance notice periods required by any paying agent for physical preparation of the payment, so that a member who dies between the date all such requirements are met and the date when the system would have delivered such member's initial payment shall be deemed to have commenced such benefit.

[2.] 3. If there is no person qualified to receive a pension as a surviving spouse or if a surviving spouse remarries or dies, the total amount which would be received by a qualified surviving spouse or which is being received by the surviving spouse at the date of the remarriage or death of such surviving spouse shall be added to the amounts received by and shall be divided among the children under the age of eighteen years and the incapacitated children in equal shares. As each child attains the age of eighteen years or has his incapacity removed, the total of the surviving spouse's pension shall then be added to and divided among the remaining children, and when there is only one child under the age of eighteen years or incapacitated, whether such child is the sole surviving child of the member or the youngest child of several children, the total amount of the surviving spouse's pension shall be paid to the child until he reaches the age of eighteen years or his

incapacity is removed.

[3.] 4. No surviving spouse shall be entitled to receive any benefits [or the payment of a pension under] pursuant to this section unless such spouse was married to the member at the time of the member's retirement. All benefits provided pursuant to this section for an eligible surviving spouse shall terminate upon remarriage of such surviving spouse.

[4.] 5. If no benefits are otherwise payable to a surviving spouse or child of a deceased member, the member's accumulated contributions, to any extent not fully paid to such member prior to the member's death or to the surviving spouse or child of such member, shall be paid in one lump sum to the member's named beneficiary or, if none, to the member's estate.

[5.] 6. For purposes of this section, a determination of whether a child of a member is physically or mentally incapacitated from wage earning so that the child is entitled to benefits under this section shall be made at the time of the member's death. If a child becomes incapacitated after the member's death, or if [after] a child's incapacity existing at the member's death is removed and such child later becomes incapacitated again, such child shall not be entitled to benefits as an incapacitated child under the provisions of this section. A child shall be deemed incapacitated only for so long as the incapacity existing at the time of the member's death continues.

86.483. 1. The retirement board shall act as trustee of the funds created by or collected pursuant to the provisions of sections 86.370 to 86.497. [They] With appropriate safeguards against loss by the retirement system, the board may designate one or more banks or trust companies to serve as a depository of retirement system funds and intermediary in the investment of those funds and payment of system obligations. The board shall promptly deposit the funds [in a] with any such designated bank or trust company [organized under the laws of the state of Missouri or the United States and doing business within the state of Missouri and qualified as a depositary for the funds of the city].

2. The retirement board shall have power, in the name and on behalf of the retirement pension system, to purchase, acquire, hold, invest, lend, lease, sell, assign, transfer and dispose of all property, rights, and securities, and enter into written contracts, all as may be necessary or proper to carry out the purposes of sections 86.370 to 86.497. No investment transaction authorized by the retirement board shall be conducted by any company or firm in which a member of the board has an interest, nor shall any member of the board profit directly or indirectly from any such investment. All investments shall be made for the account of the retirement system, and any securities or other properties obtained by the retirement board may be held by a custodian in the name of the retirement system, or in the name of a nominee in order to facilitate the expeditious transfer of such securities or other property. Such securities or other properties may be held by such custodian in bearer form or in book entry form. The retirement system is further authorized to deposit, or have deposited for its account, eligible securities in a central depository system or clearing corporation or in a federal reserve bank under a book entry system as defined in the Uniform Commercial Code, sections 400.8-102 and 400.8-109, RSMo. When such eligible securities of the retirement system are so deposited with a central depository system they may be merged and held in the name of the nominee of such securities depository and title to such securities may be transferred by bookkeeping entry on the books of such securities depository or federal reserve bank without physical delivery of the certificates or documents representing such securities.

3. The income from investments shall be credited at least annually to the funds of the retirement system. All payments from the funds shall be made by the bank or trust company only upon orders signed by the secretary and treasurer of the retirement board. No order shall be drawn unless it shall have previously been allowed by resolution of the retirement board. All bonds or securities acquired and held by the retirement board shall be kept in a safe-deposit box, and access thereto shall be had only by the secretary and treasurer, jointly; except that, the retirement board may contract with a bank or trust company to act as the custodian of the bonds and securities, in which case the retirement board may authorize its secretary and treasurer, jointly, to order purchases, loans or sales of investments by such custodian bank or trust company.

86.620. 1. All civilian employees of the police departments of the cities specified herein shall become members of the retirement system on the first day of the month following completion of six months of continuous employment as a condition of employment.

2. All civilian employees of such police departments who have completed six months of continuous employment as of August 13, 1990, but who have not theretofore been members of this retirement system because they were proscribed from participation by provisions of law in effect prior to such date, shall become members on that date.

3. Any employee described in [the preceding sentence] subsection 2 of this section may establish creditable service for purposes of calculating such employee's pension under sections 86.600 to 86.790 for all years of such employee's employment by such police department, by paying as an employee contribution to the retirement system, on or before August 13, 1991, a single sum equal to the aggregate amount of contributions, without interest, which would have been deducted from such employee's compensation for all years pursuant to section 86.760 if such employee had not been proscribed from participation.

4. Except as [hereinafter] provided in subsection 5 of this section, upon termination of employment prior to completion of five years of creditable service, an employee member shall be paid all of [his] such member's accumulated contributions to the fund, and [his] such member's membership in the retirement system shall cease and [he] such member shall forfeit all rights to any other benefits under the system arising from [his] such member's service to date of termination.

5. A terminated employee member with five or more years of creditable service may choose to withdraw all of such member's accumulated contributions to the fund, in which case such member shall be paid upon demand the amount of [his] such member's accumulated contributions in one lump payment and all provisions of subsection 4 of this section shall apply, or such terminated employee member may permit [his] such member's contributions to remain in the fund until [he] such member reaches [his] such member's normal retirement date[, at which time he shall be entitled to a pension as provided in section 86.650]. Should a terminated member choose to withdraw [his] such member's contributions, [his] such member's membership in the retirement system shall cease, and [he] such member shall forfeit all rights to any other benefits under the system arising from his service to date of termination. The following shall apply to members described in this subsection:

(1) If such member retires after August 28, 1998, and allows such member's contributions to remain in the fund, such member shall be entitled to receive a pension upon such member's normal retirement date pursuant to section 86.650 or may elect to receive a pension commencing upon or after any date prior to such member's normal retirement date upon which early retirement would have been permitted pursuant to section 86.660 if such member had remained a civilian employee of such police department, except that in calculating any qualification pursuant to section 86.660, such member shall not be entitled to count any year of creditable service in excess of such member's total years of creditable service at the time of such member's termination of employment. The amount of any pension commenced upon the basis of a date permitted pursuant to section 86.660 shall be computed on the basis of the member's final compensation and number of years of creditable service, subject to such adjustments as may be applicable pursuant to section 86.660 upon which such member relies in electing the commencement of such member's pension;

(2) If such member retired on or before August 28, 1998, and allowed such member's contributions to remain in the fund, such member shall upon application to the retirement board be appointed by the retirement board as a special consultant on the problems of retirement, aging and other matters, and upon request of the retirement board shall give opinions and be available to give opinions in writing or orally in response to such requests, as may be required. For such services the member shall, beginning the later of August 28, 1998, or the time of such appointment pursuant to this subsection, be entitled to elect to receive compensation in such amount and commencing at such time as such member would have been entitled to elect pursuant to any of the provisions of section 86.660 if such member had terminated service after August 28, 1998. Such member shall be entitled to the same cost-of-living adjustments following the commencement of such compensation as if such member's compensation had been a pension.

86.672. 1. Any member who retires after August 28, 1996, and who is entitled to a pension [under] pursuant to sections 86.600 to 86.790, shall receive each month, in addition to such member's base pension and any other benefits provided in sections 86.600 to 86.790, a supplemental retirement health insurance benefit in the amount of fifty dollars per month. Any person who receives such a supplemental retirement health insurance benefit may also receive not more frequently than annually, in addition to a base pension as may be adjusted pursuant to section 86.675 and in addition to such supplemental retirement benefit, a cost-of-living adjustment to the supplemental retirement health insurance benefit in monthly adjustment increments to be determined by the retirement board.

2. Any member who retired after August 28, 1995, and on or before August 28, 1996, and who met the requirements of subsection 7 of this section on the date of such member's retirement, shall receive each month, in addition to such member's base pension and any other benefits provided in sections 86.600 to 86.790, a supplemental retirement health insurance benefit in the amount of fifty dollars per month payable until the member attains the age of sixty-five years. Any person who receives such a supplemental retirement health insurance benefit may also receive not more frequently than annually, in addition to a base pension as may be adjusted pursuant to section 86.675, and in addition to such supplemental retirement health insurance benefit, a cost-of-living adjustment to the supplemental retirement health insurance benefit in monthly adjustment increments to be determined by the retirement board.

3. Any member who retired after August 28, 1992, and on or before August 28, 1995, and who met the requirements of subsection 7 of this section on the date of such member's retirement, shall receive each month, in addition to the member's base pension and any other benefits provided in sections 86.600 to 86.790, a supplemental retirement health insurance benefit in the amount of fifty dollars per month payable until the member attains the age of sixty-five years. Any member who was retired after August 28, 1992, and on or before August 28, 1995, and who receives a supplemental retirement health insurance benefit, shall upon application to the retirement board, be made, constituted, appointed and employed by the retirement board as a special consultant on the problems of retirement, aging and other matters, until the member attains the age of sixty-five years, and upon request of the retirement board shall give opinions and be available to give opinions in writing or orally, in response to such requests, as may be required. For such services the member shall be compensated monthly, in addition to a base pension as may be adjusted pursuant to section 86.675,

and in addition to the supplemental retirement health insurance benefit set out in this subsection, by a cost-of-living adjustment to the supplemental retirement health insurance benefit payable in monthly adjustment increments to be determined by the retirement board.

4. Any member who retired on or before August 28, [1996] 1998, who at the time of such retirement was entitled to a pension under sections 86.600 to 86.790 and who either was not eligible for any supplemental retirement health insurance benefits or was eligible for and began receiving supplemental retirement health insurance benefits but ceased eligibility by attaining age sixty-five, shall upon application to the retirement board, be made, constituted, appointed and employed by the retirement board as a special consultant on the problems of retirement, aging and other matters, and upon request of the retirement board shall give opinions and be available to give opinions in writing or orally in response to such requests, as may be required. For such services the member shall, beginning the later of August 28, [1996] 1998, or the time of such appointment under this subsection, be compensated monthly, in addition to a base pension as may be adjusted pursuant to section 86.675, by a supplemental retirement health insurance benefit in the amount of fifty dollars per month, for assistance in meeting hospitalization and medical care costs or other expenses, and by a cost-of-living adjustment to the supplemental retirement health insurance benefit, in monthly adjustment increments to be determined by the retirement board.

5. The determination of cost-of-living adjustments under this section shall be based on advice of the plan's actuary that the increase in the benefit will not cause the present value of anticipated future plan benefits calculated on the actuarial assumptions used for the last annual valuation to exceed the sum of the retirement system assets plus the present value of anticipated contributions to the retirement system. The determination of whether an adjustment will satisfy said actuarial standard shall be made at the time an increase is granted. If at any time the retirement system shall cease to satisfy such standard, all benefit payments shall continue as adjusted by increases theretofore granted. A member of the retirement board shall have no personal liability for granting increases under this section if that retirement board member in good faith relied and acted upon advice of a qualified actuary that the retirement system would satisfy such standard at the time an adjustment is made. In determining and granting cost-of-living adjustments under this section, the retirement board shall adopt such rules and regulations as may be necessary to effectuate the purposes of this section, including provisions for the manner of computation of such adjustments and the effective dates thereof. The retirement board shall provide for such adjustments to be determined once each year and granted on a date or dates to be chosen by the board and may apply such adjustments in full to members who have retired during the year prior to such adjustments but who have not been retired for one full year.

6. Any member's employment as a special consultant under subsection 3 or 4 of this section shall in no way affect such member's eligibility for retirement benefits under the provisions of sections 86.600 to 86.790, or in any way have the effect of reducing retirement benefits otherwise payable to such member.

7. Members entitled to the benefits provided in subsections 2 and 3 of this section are those members who:

(1) Are under the age of sixty-five years; and

(2) (a) Have at least twenty-five years of creditable service; or

(b) Have a total of age and years of creditable service which equals or exceeds eighty; or

(c) Meet the eligibility requirements for a duty disability pension under the provisions of section 86.670.

8. For purposes of this section, the term member shall include a surviving spouse who is entitled to a pension under sections 86.600 to 86.790. In determining which subsection or subsections are applicable in a given instance, the surviving spouse shall be deemed to have retired on the date of retirement of the member of whom such person is the surviving spouse or on the date of death of such member if such member died prior to retirement. Any such surviving spouse of a member who dies while entitled to payments under this section shall succeed to the full amount of payment under this section to which such member was entitled at the time of such member's death, including any cost-of-living adjustments received by such member in the payment hereunder prior to such member's death.

86.680. 1. Each person who becomes a member of this retirement system pursuant to the provisions of sections 86.600 to 86.790 shall remain a member until the earliest to occur of the following events:

(1) The termination of employment of such person by the applicable police department and the payment to him of all benefits due him pursuant to the provisions of sections 86.600 to 86.790, unless such termination of employment by the police department shall be for the purpose of entering military service in a national emergency;

(2) The termination of employment by the police department to enter military service in a national emergency and the failure of such person to return to employment by such department within one year after his discharge from the military service, unless there shall remain benefits due such person pursuant to the provisions of sections 86.600 to 86.790, in which event such person's membership shall terminate pursuant to this subdivision when there shall no longer remain any such benefits due such person; and

(3) The death of such person.

2. [Beneficiaries and survivors of members] If the surviving spouse of a member is entitled to a pension benefit pursuant to the provisions of sections 86.600 to 86.790, such surviving spouse shall be a member of the retirement system for so long as such surviving spouse shall remain entitled to such benefit. Any beneficiary or survivor of a deceased member shall not be [deemed members] a member of this retirement system if such beneficiary or survivor is not a surviving spouse entitled to benefits pursuant to the provisions of sections 86.600 to 86.790, irrespective of whether there may remain benefits due [them] such beneficiary or survivor from this system.

[86.750. 1. The retirement board shall be the trustees of the funds created by sections 86.600 to 86.790. The retirement board shall have power, in the name and on behalf of the retirement system, to purchase, acquire, hold, invest, lend, lease, sell, assign, transfer and dispose of all property, rights, and securities, and enter into written contracts, all as may be necessary or proper to carry out the purposes of sections 86.600 to 86.790.

2. No trustee and no member of the retirement system shall have any direct interest in the gains or profits of any investment made by the retirement board, nor as such receive any compensation for his service.]

86.750. 1. The retirement board shall act as trustee of the funds created by or collected pursuant to the provisions of sections 86.600 to 86.790. With appropriate safeguards against loss by the retirement system, the board may designate one or more banks or trust companies to serve as a depository of retirement system funds and intermediary in the investment of those funds and payment of system obligations. The board shall promptly deposit the funds with any such designated bank or trust company.

2. The retirement board shall have power, in the name and on behalf of the retirement pension system, to purchase, acquire, hold, invest, lend, lease, sell, assign, transfer and dispose of all property, rights, and securities, and enter into written contracts, all as may be necessary or proper to carry out the purposes of sections 86.600 to 86.790. No investment transaction authorized by the retirement board shall be conducted by any company or firm in which a member of the board has an interest, nor shall any member of the board profit directly or indirectly from any such investment. All investments shall be made for the account of the retirement system, and any securities or other properties obtained by the retirement board may be held by a custodian in the name of the retirement system, or in the name of a nominee in order to facilitate the expeditious transfer of such securities or other property. Such securities or other properties may be held by such custodian in bearer form or in book entry form. The retirement system is further authorized to deposit, or have deposited for its account, eligible securities in a central depository system or clearing corporation or in a federal reserve bank under a book entry system as defined in the Uniform Commercial Code, sections 400.8-102 and 400.8-109, RSMo. When such eligible securities of the retirement system are so deposited with a central depository system they may be merged and held in the name of the nominee of such securities depository and title to such securities may be transferred by bookkeeping entry on the books of such securities depository or federal reserve bank without physical delivery of the certificates or documents representing such securities.

3. The income from investments shall be credited at least annually to the funds of the retirement system. All payments from the funds shall be made by the bank or trust company only upon orders signed by the secretary and treasurer of the retirement board. No order shall be drawn unless it shall have previously been allowed by resolution of the retirement board. All bonds or securities acquired and held by the retirement board shall be kept in a safe deposit box, and access thereto shall be had only by the secretary and treasurer, jointly; except that, the retirement board may contract with a bank or trust company to act as the custodian of the bonds and securities, in which case the retirement board may authorize its secretary and treasurer, jointly, to order purchases, loans or sales of investments by such custodian bank or trust company.".

On motion of Representative Rizzo, House Amendment No. 1 was adopted.

On motion of Representative O'Toole, HS HCS HBs 1455 & 1463, as amended, was adopted.

On motion of Representative O'Toole, HS HCS HBs 1455 & 1463, as amended, was ordered perfected and printed by the following vote:

AYES: 107

Alter Auer Backer Barnett Barry 100

Bartlett Bauer Bland Boucher Broach

Burton Campbell Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Davis 122 Davis 63

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Foley Ford Franklin

Fritts Graham 106 Graham 24 Gratz Green

Hagan-Harrell Hartzler 124 Hegeman Hendrickson Hickey

Hollingsworth Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Liese Lograsso Long

Loudon Luetkenhaus May 108 Mays 50 Merideth

Miller Monaco Murphy Murray Naeger

O'Connor O'Toole Overschmidt Parker Patek

Pouche Ransdall Relford Reynolds Richardson

Ridgeway Rizzo Robirds Scheve Schilling

Scott Secrest Sheldon 104 Shields Skaggs

Smith Stoll Stroker Summers Surface

Thomason 163 Thompson 72 Townley Treadway Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wooten Mr. Speaker

NOES: 038

Akin Ballard Bartelsmeyer Bennett Berkstresser

Boatright Bray 84 Champion Chrismer Daniels 41

Evans Farnen Fitzwater Foster Froelker

Gaskill Gaston Gibbons Griesheimer Gross

Gunn Hartzler 123 Hilgemann Hohulin Holand

Levin Linton McBride McClelland Nordwald

Ostmann Pryor Reinhart Sallee Seigfreid

Shelton 57 Steen Wilson

PRESENT: 001

Purgason

ABSENT WITH LEAVE: 016

Bonner Carter Copeland Days Hall

Harlan Heckemeyer Hoppe Marble McLuckie

Ross Schwab Shear Stokan Thompson 37

Troupe

VACANCIES: 001

HCS HB 1434, relating to special license plates, was taken up by Representative Thomason (163).

Representative Thomason (163) offered HS HCS HB 1434.

Representative Thomason (163) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1434, Page 5, Section 301.144, Line 19, by adding the words "local or" before the word "nonlocal"; and

Further amend said bill, Page 5, Section 301.144, Line 21, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 8, Section 301.144, Line 8, by deleting the words "an affidavit" and inserting in lieu thereof the following: "[an affidavit] a statement"; and

Further amend said bill, Page 9, Section 301.145, Lines 6 and 7, by deleting all of said lines and inserting in lieu thereof the following: "passenger motor vehicles or for a local or nonlocal property-carrying"; and

Further amend said bill, Page 9, Section 301.145, Lines 9 and 10, by deleting all of said lines and inserting in lieu thereof the following: "gross weight not in excess of twelve thousand pounds[, as provided in this section]. Any such person shall make"; and

Further amend said bill, Page 11, Section 301.177, Line 6, by deleting the words "the director of revenue to"; and

Further amend said bill, Page 11, Section 301.441, Line 16, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 11, Section 301.441, Line 20, by inserting immediately after the word and bracket "jointly]" the word and figure "or 301.058"; and

Further amend said bill, Page 13, Section 301.443, Line 15, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 13, Section 301.443, Line 17, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 17, Section 301.444, Line 6, by deleting the words "affidavit" and inserting in lieu thereof the following: "[affidavit] a statement"; and

Further amend said bill, Page 17, Section 301.444, Line 13, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 17, Section 301.444, Line 15, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 18, Section 301.445, Line 22, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 19, Section 301.445, Line 3, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 21, Section 301.447, Line 2, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 21, Section 301.447, Line 4, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 23, Section 301.448, Line 11, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 23, Section 301.448, Line 14, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 26, Section 301.449, Line 1, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 26, Section 301.449, Line 4, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 28, Section 301.451, Line 4, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 28, Section 301.451, Line 6, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 30, Section 301.453, Line 3, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 30, Section 301.453, Line 6, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 31, Section 301.453, Line 11, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 31, Section 301.453, Line 13, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 32, Section 301.453, Line 3, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 32, Section 301.453, Line 5, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 33, Section 301.454, Line 9, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 33, Section 301.454, Line 11, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 35, Section 301.456, Line 9, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 35, Section 301.456, Line 12, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 37, Section 301.457, Line 3, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 37, Section 301.457, Line 6, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 38, Section 301.458, Line 20, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 38, Section 301.458, Line 22, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 40, Section 301.459, Line 22, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 41, Section 301.459, Line 3, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 42, Section 301.461, Line 19, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 42, Section 301.461, Line 22, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 44, Section 301.462, Line 19, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 44, Section 301.462, Line 21, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 47, Section 301.463, Line 1, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 47, Section 301.463, Line 3, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 49, Section 301.464, Line 4, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 49, Section 301.464, Line 7, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 50, Section 301.465, Line 20, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 51, Section 301.465, Line 2, by inserting immediately after the word and bracket "jointly]" the word and figure "or 301.058"; and

Further amend said bill, Page 52, Section 301.466, Line 14, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 52, Section 301.466, Line 18, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 54, Section 1, Line 5, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 54, Section 1, Line 7, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 56, Section 2, Line 4, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 56, Section 2, Line 6, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 57, Section 3, Line 13, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 57, Section 3, Line 15, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 59, Section 4, Line 16, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 59, Section 4, Line 18, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 61, Section 5, Line 14, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 61, Section 5, Line 16, by inserting immediately after the figure "301.057" the word and figure "or 301.058"; and

Further amend said bill, Page 62, Section 5, Line 14, by deleting the word "four" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 66, Section 9, Line 13, by adding the words "local or" immediately before the word "nonlocal"; and

Further amend said bill, Page 66, Section 9, Line 16, by inserting immediately after the figure "301.057" the word and figure "or 301.058".

On motion of Representative Thomason (163), House Amendment No. 1 was adopted.

Representative Hollingsworth offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1434, Page 1, In the Title, Line 17, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 2, Section A, Line 6, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 2, Section A, Line 11, by deleting the following: "8 and 9," and inserting in lieu thereof the following: "8, 9 and 10"; and

Further amend said bill, Page 68, Section 9, Line 7, by inserting immediately after all of said line the following:

"Section 10. 1. Any member of the fraternal order of police of the state of Missouri may receive license plates, for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055,

RSMo, or for a local or nonlocal property-carrying commercial motor vehicle licensed for a gross weight not in excess of twelve thousand pounds as provided in section 301.057 or 301.058, RSMo, as prescribed in this section after an annual payment of an emblem-use authorization fee to the fraternal order of police. The fraternal order of police hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to the fraternal order of police derived from this section, except reasonable administrative costs, shall be used solely for the educational programs or purposes of the fraternal order of police. Any member of the fraternal order of police may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the fraternal order of police, the fraternal order of police shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the member to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen-dollar fee in addition to the regular registration fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the emblem of the fraternal order of police in a form prescribed by the director of the department of revenue to the vehicle owner. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo.

3. A vehicle owner, who was previously issued a plate with the fraternal order of police emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the fraternal order of police emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.".

On motion of Representative Hollingworth, House Amendment No. 2 was adopted by the following vote:

AYES: 128

Alter Auer Backer Barnett Barry 100

Bartlett Bauer Berkstresser Bland Boatright

Bray 84 Broach Burton Campbell Champion

Chrismer Cierpiot Clayton Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Franklin Fritts Froelker

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hickey Hilgemann Hollingsworth Hosmer Howerton

Johnson Kasten Kelley 47 Kelly 27 Kennedy

Kissell Kreider Lakin Lawson Leake

Levin Liese Long Loudon Luetkenhaus

May 108 Mays 50 McBride McClelland Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Sallee Scheve Schilling Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 72 Townley Treadway

Van Zandt Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 017

Akin Ballard Bartelsmeyer Bennett Cooper

Foster Gaskill Hendrickson Hohulin Kauffman

Klindt Legan Linton Lograsso Murphy

Pouche Steen

PRESENT: 000

ABSENT WITH LEAVE: 017

Bonner Boucher Carter Copeland Hall

Holand Hoppe Koller Marble McLuckie

Pryor Ross Schwab Shear Thompson 37

Troupe Vogel

VACANCIES: 001

Representative Surface offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1434, Page 1, In the Title, Line 17, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 2, Section A, Line 6, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 2, Section A, Line 11, by deleting the following: "8 and 9," and inserting in lieu thereof the following: "8, 9 and 10"; and

Further amend said bill, Page 68, Section 9, Line 7, by inserting immediately after all of said line the following:

"Section 10. 1. Any person may receive license plates as prescribed in this section, for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, RSMo, or for a nonlocal property-carrying commercial motor vehicle licensed for a gross weight not in excess of twelve thousand pounds as provided in section 301.057, RSMo, after an annual payment of an emblem-use authorization fee to the Benevolent and Protective Order of the Elks. The Benevolent and Protective Order of the Elks hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to the Benevolent and Protective Order of the Elks derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Benevolent and Protective Order of the Elks. Any member of the Benevolent and Protective Order of the Elks may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five-dollar emblem-use contribution to the Benevolent and Protective Order of the Elks, the Benevolent and Protective Order of the Elks shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual

statement, payment of a fifteen-dollar fee in addition to the registration fees and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized license plate which shall bear the emblem of the Benevolent and Protective Order of the Elks. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo.

3. A vehicle owner, who was previously issued a plate with the Benevolent and Protective Order of the Elks emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Benevolent and Protective Order of the Elks emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.".

On motion of Representative Surface, House Amendment No. 3 was adopted.

Representative Robirds offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1434, Page 51, Section 301.465, Line 18, by inserting immediately after the word "medal" the words "known as the victory medal".

On motion of Representative Robirds, House Amendment No. 4 was adopted by the following vote:

AYES: 123

Akin Alter Ballard Barnett Barry 100

Bartelsmeyer Bartlett Berkstresser Bland Boatright

Broach Burton Campbell Champion Chrismer

Cierpiot Cooper Crawford Crump Daniel 42

Daniels 41 Davis 122 DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Foster Fritts

Gaskill Gaston Graham 106 Graham 24 Gratz

Griesheimer Gross Gunn Hagan-Harrell Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Hollingsworth Hosmer Howerton

Johnson Kasten Kelley 47 Kennedy Kissell

Klindt Kreider Lakin Lawson Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus May 108 Mays 50 McBride

McClelland Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Sallee

Scheve Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stroker Summers Surface Thomason 163

Thompson 37 Townley Van Zandt Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 002

Bennett Thompson 72

PRESENT: 000

ABSENT WITH LEAVE: 037

Auer Backer Bauer Bonner Boucher

Bray 84 Carter Clayton Copeland Davis 63

Days Ford Franklin Froelker Gibbons

Green Hall Harlan Holand Hoppe

Kauffman Kelly 27 Koller Leake Marble

McLuckie O'Connor Ross Schilling Schwab

Shear Stoll Treadway Troupe Vogel

Wannenmacher Wiggins

VACANCIES: 001

Representative Rizzo offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1434, Page 1, In the Title, Line 17, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 2, Section A, Line 6, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 2, Section A, Line 11, by deleting the following: "8 and 9," and inserting in lieu thereof the following: "8, 9 and 10"; and

Further amend said bill, Page 68, Section 9, Line 7, by inserting immediately after all of said line the following:

"Section 10. 1. Any motor vehicle owner may receive special license plates as prescribed in this section after an annual payment of an emblem-use authorization fee to a professional sports team which has made an agreement pursuant to subsection 5 of this section. For the purposes of this section a "professional sports team" shall mean an organization located in this state franchised by the National Professional Soccer League, the National Football League, the National Basketball Association, the National Hockey League, the International Hockey League, or the American League or the National League of Major League Baseball or a team playing in Major League Soccer.

2. The professional sports team which has made an agreement pursuant to subsection 5 of this section and which receives the emblem-use authorization fee hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any vehicle owner may annually apply for the use of the emblem.

3. Upon annual application and payment of a thirty-five- dollar emblem-use contribution to the professional sports team such team shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the member to the director of the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, RSMo, and other fees and documents which may be required by law, the director shall issue a personalized license plate, which shall bear the official emblem of the professional sports team in a manner determined by the director. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo.

4. A vehicle owner, who was previously issued a plate with a professional sports team emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the professional sports team emblem, as otherwise provided by law.

5. The director of the department of revenue is authorized to make agreements with professional sports teams on behalf of the state which allows the use of any such team's official emblem pursuant to the provisions of this section as consideration for receiving a thirty-five dollar emblem-use contribution.

6. A professional sports team receiving a thirty-five- dollar contribution shall forward such contribution, less an amount not in excess of five percent of the contribution for the costs of administration, to the Jackson County Sports Authority or the Greater St. Louis Sports Authority. The sports authority may retain not in excess of five percent of all funds forwarded to it pursuant to this section for the costs of administration and shall expend the remaining balance of such funds, after consultation with a professional sports team within the authority's area, on marketing and promoting such team. The amount of money expended from the funds obtained pursuant to this section by the authority per professional sports team shall be in the same proportion to the total funds available to be expended on such team as the proportion of contributions forwarded by the team to the authority is to the total contributions received by the authority.

7. The director of the department of revenue shall promulgate rules and regulations for the administration of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.".

HCS HB 1434, with House Amendment No. 5 and HS, as amended, pending, was laid over.

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1014

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1014, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on House Committee Substitute for House Bill No. 1014, and that the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1014, as amended, and the Conference Committee Substitute for House Bill No. 1014, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Timothy Green /s/ Harry Wiggins

/s/ Scott Lakin /s/ Wayne Goode

/s/ Kenneth Legan /s/ John T. Russell

/s/ Bonnie Sue Cooper /s/ Marvin Singleton

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 56 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1915 - Criminal Law

HB 1916 - Education - Elementary and Secondary

HB 1917 - Miscellaneous Bills and Resolutions

HB 1919 - Education - Elementary and Secondary

HB 1920 - Ways and Means

HB 1921 - Labor

HB 1922 - Transportation

HB 1923 - Miscellaneous Bills and Resolutions

HB 1924 - Correctional and State Institutions

HB 1925 - Correctional and State Institutions

HB 1926 - Governmental Organization and Review

HB 1927 - Ways and Means

HB 1928 - Environment and Energy

HB 1929 - Environment and Energy

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 632 - Children, Youth and Families

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred HB 1678, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred SCS SBs 707 & 484, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred HB 1136, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred HB 1489, begs leave to report it has examined the same and recommends that it Do Pass.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1930, introduced by Representative Hagan-Harrell, relating to the unlawful use of firearms.

HB 1931, introduced by Representatives Hendrickson, Murphy and Enz, relating to taxation.

HB 1932, introduced by Representatives Hartzler (124), Hartzler (123), Monaco and Relford, et al, relating to placements of school age children.

COMMUNICATION

March 24, 1998

Ms. Anne C. Walker

Chief Clerk of the House

Room 306C, State Capitol

Jefferson City, MO 65101

Dear Ms. Walker:

I have appointed the following members to serve with a like committee from the Senate as the Host State Executive Committee for the annual meeting of the Southern Legislative Conference of the Council of State Governments to be hosted by Missouri in 1999 in Kansas City.

I, as Speaker, will serve as honorary Co-Chair and Delbert Scott, Minority Floor Leader, will serve as Honorary Co-Vice-Chair.

A subcommittee composed of Representatives Clayton, Leake, Shelton, Campbell, and Ross will serve as the Steering Committee to plan the conference.

Sincerely,

/s/ Steve Gaw

Members Host State Executive Committee - House

1999 Annual Meeting - SLC

Mary Bland Glenda Kelly

Matt Boatright Don Koller

Bill Boucher Jim Kreider

Joan Bray Scott Lakin

Marsha Campbell Sam Leake

Paula Carter Don Lograsso

Norma Champion Jerry McBride

Robert Clayton Steve McLuckie

Bonnie Sue Cooper Carol Jean Mays

Gene Copeland Ralph Monaco

Wayne Crump Charles Nordwald

Lloyd Daniel Cindy Ostmann

Rita Days Francis Overschmidt

Ted Farnen Bill Ransdall

Rodger Fitzwater Henry Rizzo

Dick Franklin Carson Ross

Charlie Fritts May Scheve

Steve Gaw (Honorary Co-Chair) Delbert Scott (Honorary Co-Vice-Chair)

John Griesheimer O. L. Shelton

Russell Gunn Bill Skaggs

Tim Harlan Joe Treadway

Joe Heckemeyer Tim VanZandt

Tom Hoppe Gary Wiggins

Jim Howerton Marilyn Williams

Members Steering Committee - House

1999 Annual Meeting - SLC

Robert Clayton, Chair

Sam Leake, Co-Vice-Chair

O. L. Shelton, Co-Vice-Chair

Marsha Campbell

Carson Ross

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 631, entitled:

An act to amend chapter 109, RSMo, by adding thereto one new section relating to public records.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 733, entitled:

An act to repeal sections 169.050, 169.054, 169.650, 169.655 and 169.670, RSMo Supp. 1997, and section 169.056 as enacted by senate bill no. 860, second regular session of the eighty-eighth general assembly, relating to teacher retirement, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 841, entitled:

An act to repeal section 50.1110, RSMo Supp. 1997, relating to certain county retirement systems, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 844, entitled:

An act to repeal sections 347.030, 347.153, 351.375 and 359.041, RSMo 1994, and section 358.470, RSMo Supp. 1997, relating to registration of certain business entities, and to enact in lieu thereof five new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 894, entitled:

An act to amend chapter 327, RSMo, by adding thereto one new section relating to the practice of architecture.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 888, entitled:

An act to repeal section 144.014, RSMo Supp. 1997, relating to the sales tax rate on certain items, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Bonner.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, March 25, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-ninth Day, Wednesday, March 18, 1997, page 584, lines 21, 25 and 27, by deleting all of said lines and inserting in lieu thereof the following:

SCS SB 477 - State Parks, Natural Resources and Mining

SCS SB 501 - Retirement

SCS SB 532, 806 & 633 - Criminal Law

Page 585, line 13, by deleting all of said line and inserting in lieu thereof the following:

SS SCS SB 675, 483, 490 & 564 - Ways and Means

Correct House Journal, Fortieth Day, Monday, March 23, 1998, pages 596 and 597, roll call, by showing Representative Thompson (37) voting "present" rather than "no".

Pages 596 and 597, roll call, by showing Representative Hegeman voting "present" rather than "aye".

COMMITTEE MEETINGS

BUDGET

Wednesday, March 25, 1998, 8:30 am. Hearing Room 9. Possible executive session on previously heard bills. Hearing HB 1013.

CHILDREN, YOUTH AND FAMILIES

Wednesday, March 25, 1998. Hearing Room 8 upon afternoon adjournment. Possible executive session.

To be considered - SB 674, SB 720, SB 756

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 25, 1998. Hearing Room 6 upon morning adjournment. Executive session to follow.

To be considered - SB 555, SB 684, SB 734

COMMERCE

Wednesday, March 25, 1998. Hearing Room 5 upon morning adjournment. Executive session may follow.

To be considered - HB 1873, HB 1784

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, March 25, 1998, 1:00 pm. Hearing Room 9. AMENDED

To be considered - HB 1891

CRIMINAL LAW

Wednesday, March 25, 1998. Hearing Room 9 upon evening adjournment. Executive session may follow. AMENDED

To be considered - HB 1670, HB 1481, HB 1878, HB 1918

CRITICAL ISSUES

Thursday, March 26, 1998, 8:30 am. Hearing Room 5. Executive session.

To be considered - HB 1124, HB 1736, HB 1749, HB 1415, HB 1907, HB 1552, HB 1389

EDUCATION - HIGHER

Wednesday, March 25, 1998. Hearing Room 8 ten minutes after morning adjournment.

To be considered - HB 1485, HB 1882, HB 1751, HB 1911

ENVIRONMENT AND ENERGY

Thursday, March 26, 1998, 9:00 am. Hearing Room 1 and 2.

To be considered - HB 1853, HB 1928, Executive Session - HB 1376,

Executive Session - HB 1928, SB 551

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 25, 1998, 8:30 am. Hearing Room 8.

To be considered - HJR 53, HB 1801, HB 1838, HB 1843, HB 1844

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Monday, March 30, 1998, 10:30 am. Hearing Room 8. Discussion of 1115

Medicaid waiver proposal.

LOCAL GOVERNMENT AND RELATED MATTERS

Wednesday, March 25, 1998. Hearing Room 9 upon morning adjournment.

Executive session to follow.

To be considered - HB 1905

STATE PARKS, NATURAL RESOURCES & MINING

Wednesday, March 25, 1998, 12:45 pm. Hearing Room 7.

To be considered - HB 1883, SB 477

UTILITIES REGULATION

Thursday, March 26, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1617

HOUSE CALENDAR

Forty-second Day, Wednesday, March 25, 1998

HOUSE BILLS FOR SECOND READING

HB 1930 through HB 1932

HOUSE BILLS FOR PERFECTION

HB 1694, HCA 1 - Gaw

HCS HB 1434, HA5, HS, as amended, pending - Thomason (163)

HCS HB 1038 - Carter

HB 1070 - Barry

HB 1322, HCA 1 - Foley

HCS HB 1526 - May (108)

HCS HB 1143 - Mays (50)

HCS HB 1636 - Hoppe

HCS HB 1198 - Auer

HCS HB 1189 - Liese

HCS HB 1656 - Bray

HCS HB 971 - Smith

HB 1258 - Bland

HCS HB 1441, 937 & 1795 - Luetkenhaus

HCS HB 977 & 1608 - Shelton (57)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(March 12, 1998)

HB 1216 - Monaco

HB 986 - Backer

HB 1869 - Wiggins

HB 1066 - Clayton

HB 1805 - Chrismer

HB 1747 - Ostmann

HB 1880 - Hickey

HB 1145 - Lakin

HB 1571 - Monaco

HB 1596 - Leake

HB 1791 - Clayton

HB 1528 - Smith

HB 1744 - Akin

(March 24, 1998)

HB 1837 - Hollingsworth

HB 1578 - Hilgeman

HB 1476 - Scheve

HB 1117 - Kreider

HB 1622 - Fritts

HB 948 - Long

HB 1627 - Green

HB 1834 - Stoll

HB 1698 - Hosmer

HB 1385 - Summers

HB 1767 - Berkstresser

HB 1779 - Riback Wilson

HB 1807 - Bartelsmeyer

HB 1847 - Kreider

HB 1862 - Crawford

HB 1043 - Gross

(March 25, 1998)

HB 1136 - Stokan

HB 1668 - Hosmer

HOUSE BILLS FOR THIRD READING

HCS HB 1167 - Relford

HCS HB 922, (Budget Fiscal 2-17-98) - Gratz

HCS HB 1197 - Gunn

HS HCS HB 1412, (Budget Fiscal 3-9-98) - Harlan

HCS HB 1195, (Budget Fiscal 3-9-98) - May (108)

HS HCS HB 1095 - Smith

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HS HCS HB 1161, E.C. - Wiggins

HOUSE BILLS FOR THIRD READING - CONSENT

HB 1033 - Franklin

HB 1794 - Monaco

HB 1508, E.C. - Relford

HB 1037 - Leake

HB 1300 - Kennedy

HB 931 - Carter

HB 898 - Heckemeyer

HB 1239 - Parker

HB 1309 - Clayton

HB 1566 - Johnson

HB 1299 - Skaggs

HB 1301 - Campbell

HB 1097 - Overschmidt

HB 1599 - Clayton

HB 1683 - Fitzwater

HB 968 - Barry

HB 1369 - Smith

HB 1454 - O'Toole

HB 1088 - Boucher

HB 1569 - Seigfreid

HB 1588 - Luetkenhaus

HB 1506 - O'Toole

HB 1763 - Stoll

HB 1055 - Thomason (163)

HB 1052 - Ford

HB 1511 - Koller

HB 1092 - Rizzo

HB 1162 - DeMarce

HB 1059 - Liese

HB 1707 - Liese

HB 1704 - Leake

HB 1562 - Relford

HB 1120 - Griesheimer

HB 1226 - May (108)

HB 1587, E.C. - Luetkenhaus

HB 1374 - Scheve

HB 1859 - Thomason (163)

HB 950 - Leake

HB 1228 - May (108)

HB 1748 - Wannenmacher

HB 996 - Kennedy

HB 1444 - May (108)

HB 1046 - O'Toole

HB 1080 - Auer

HB 1410 - Luetkenhaus

HB 1274 - Farnen

HB 1556 - Dougherty

HB 1272, E.C. - Holand

HB 1103 - May (108)

HB 1201 - Summers

HB 1607 - Richardson

HB 1107 - May (108)

HB 1718 - Chrismer

HB 1357 - Broach

HB 1090 - Auer

HB 955 - Lograsso

HB 1113 - DeMarce

HB 1149 - Campbell

HB 1304 - Foley

HB 1352 - Rizzo

HB 1531 - Hoppe

HB 1468 - Reynolds

HB 1507 - Bray

HB 1734 - Backer

HB 1157 - McClelland

HB 1419 - Riback Wilson

HB 1802 - Thomason (163)

HB 1586 - Hosmer

HB 944 - Long

HB 1730 - Townley

HB 1293 - Pouche

HB 1158 - McClelland

HB 1705 - Hoppe

HB 1480 - DeMarce

HB 1267 - Shields

HB 1084 - Vogel

SENATE BILLS FOR SECOND READING

SB 631

SB 695

SB 733

SB 766

SB 819

SB 841

SB 844

SB 888

SB 894

SB 898

SB 917

SENATE BILL FOR THIRD READING - CONSENT

(March 25, 1998)

SCS SB 707 & 484 - Scheve

BILL IN CONFERENCE

CCR SCS HCS HB 1014, as amended - Franklin

HOUSE RESOLUTIONS

HR 292, (3-10-98, pg.512) - Williams (121)

HR 252, (3-10-98, pg.512) - Vogel

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House Journal

Second Regular Session, 89th General Assembly

FORTY-SECOND DAY, Wednesday, March 25, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

It's mid-week, O God, and we are back into the business of debating, arguing, discussing, formulating, amending, reading, and revising. There are first readings, second readings, third readings, cumbersome notes and mountains of paper. Sometimes the amount of time these representatives have available to them simply doesn't lend itself to anything more than going from one meeting to the next, one set of papers to the next.

As the time of spring break fades into the background, keep those here in these chambers and those in the surrounding offices up for the jobs they must do. Give them strength and stamina; give them a sense of humor; give them a desire to do their very best as trustees of this state's government.

Take us through this week with the awareness of Your grace and mercy and help us appreciate the beauty of the spring unfolding around us. Grant us peace, God of all creation. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Amy Luckett, Courtney Clements, Lakisha Ross, Steve Stentzhorn, Derek Palisch, Brian Schlichting, Stephanie Boettcher, Zack Pyles, Timothy James Gibson, Catherine Nguyen, Ashley Kassel, Eric Bruecker, Joshua Miesner, Sashanna Stefan, Kaelee Stefan, Kelton Stefan, Dainec Stefan, Tawner Stefan, Heather Rice, Joanna Rice and Joel Rice.

The Journal of the forty-first day was approved as corrected.

RESOLUTION

Representatives Donovan and Green offered House Resolution No. 468, which was referred to the Committee

on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1930 through **HB 1932** were read the second time.

SECOND READING OF SENATE BILLS

SB 631, SB 695, SB 733, SB 766, SB 819, SB 841, SB 844, SB 888, SB 894, SB 898 and **SB 917** were read the second time.

COMMITTEE REPORTS

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution No. 386** through **House Resolution No. 467**, begs leave to report it has examined the same and recommends that they **Do Pass**.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1216, HB 986, HB 1869, HB 1066, HB 1805, HB 1747, HB 1880, HB 1145, HB 1571, HB 1596, HB 1791, HB 1528** and **HB 1744**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HB 922 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1412 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

BILL IN CONFERENCE

CCR SCS HCS HB 1014, as amended, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **CCR SCS HCS HB 1014, as amended**, was adopted by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 003

Hall Hohulin Pryor

PRESENT: 000

ABSENT WITH LEAVE: 004

Bonner Copeland Schwab Shear

VACANCIES: 001

On motion of Representative Franklin, **CCS SCS HCS HB 1014** was read the third time and passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Bland Boatright Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Toole Ostmann Overschmidt Parker Patek

Pouche Purgason Ransdall Reinhart Relford

Reynolds Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 003

Hall Hohulin Pryor

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartlett Bonner Copeland O'Connor Richardson

Schwab Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative DeMarce moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

HOUSE RESOLUTIONS

HR 292, relating to use of chamber, was taken up by Representative Williams (121).

On motion of Representative Williams (121), **HR 292** was adopted.

HR 252, relating to use of chamber, was taken up by Representative Vogel.

On motion of Representative Vogel, **HR 252** was adopted.

THIRD READING OF HOUSE BILLS

HCS HB 1167, relating to assault against corrections officers, was taken up by Representative Relford.

On motion of Representative Relford, **HCS HB 1167** was read the third time and passed by the following vote:

AYES: 143

Alter Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bennett Berkstresser Boatright
Boucher Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Crawford Crump Daniels 41 Davis 122 Davis 63
Days DeMarce Donovan Dougherty Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Scheve Schilling Scott Secrest

Seigfreid Sheldon 104 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 72 Townley Treadway

Van Zandt Vogel Wannenmacher Wiggins Williams 159

Wilson Wooten Mr. Speaker

NOES: 008

Bauer Bland Bray 84 Daniel 42 McLuckie

Shelton 57 Thompson 37 Troupe

PRESENT: 000

ABSENT WITH LEAVE: 011

Akin Bartlett Bonner Copeland Dolan

Gaskill Levin Sallee Schwab Shear

Williams 121

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Fritts, title to the bill was agreed to.

Representative Harlan moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw assumed the Chair.

HCS HB 922, relating to Missouri fence law, was taken up by Representative Gratz.

On motion of Representative Gratz, **HCS HB 922** was read the third time and passed by the following vote:

AYES: 118

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartlett Bauer Berkstresser
Bland Boatright Boucher Broach Burton
Campbell Champion Clayton Cooper Crawford
Crump Davis 122 Davis 63 Days DeMarce
Donovan Dougherty Edwards-Pavia Farnen Fitzwater
Foley Ford Franklin Fritts Gaston
Graham 106 Graham 24 Gratz Green Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hickey Hilgemann Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Kreider Lakin Lawson
Leake Legan Levin Liese Long
Loudon Luetkenhaus May 108 Mays 50 McBride
McClelland Merideth Miller Monaco Murray
Naeger O'Connor O'Toole Overschmidt Pouche
Purgason Ransdall Relford Reynolds Rizzo
Robirds Ross Sallee Scheve Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Vogel Wannenmacher Wiggins Williams 159
Wilson Wooten Mr. Speaker

NOES: 033

Bartelsmeyer Bennett Bray 84 Carter Chrismer
Cierpiot Daniel 42 Dolan Enz Evans
Foster Froelker Gibbons Griesheimer Hall
Hendrickson Hohulin Koller Linton Lograsso
Marble McLuckie Murphy Nordwald Parker
Pryor Reinhart Richardson Ridgeway Schilling
Steen Troupe Van Zandt

PRESENT: 001

Patek

ABSENT WITH LEAVE: 010

Bonner Copeland Daniels 41 Elliott Gaskill
Ostmann Schwab Shear Stokan Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1197 was placed on the Informal Calendar.

Speaker Pro Tem Kreider resumed the Chair.

HS HCS HB 1412, relating to health plan for small employers, was taken up by Representative Harlan.

On motion of Representative Harlan, **HS HCS HB 1412** was read the third time and passed by the following vote:

AYES: 102

Backer Barry 100 Bartlett Bauer Berkstresser
Bland Boucher Bray 84 Broach Campbell
Carter Champion Cooper Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Donovan Dougherty Edwards-Pavia Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Gaston Graham 24 Gratz Green Griesheimer
Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann
Hollingsworth Hoppe Hosmer Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Koller Kreider Lakin Lawson Leake
Levin Luetkenhaus May 108 Mays 50 McBride
McLuckie Merideth Monaco Murphy Murray
Naeger O'Connor O'Toole Overschmidt Parker
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Rizzo Robirds Sallee

Scheve Schilling Seigfreid Shelton 57 Skaggs

Smith Stokan Stoll Stroker Summers

Thomason 163 Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 055

Akin Alter Auer Ballard Barnett

Bartelsmeyer Bennett Boatright Burton Chrismer

Cierpiot Clayton Crawford Dolan Elliott

Enz Evans Froelker Gaskill Gibbons

Graham 106 Gross Gunn Hall Hartzler 123

Hartzler 124 Hegeman Hendrickson Hohulin Holand

Howerton Klindt Legan Liese Linton

Lograsso Long Loudon Marble McClelland

Miller Nordwald Ostmann Patek Ridgeway

Ross Scott Secrest Sheldon 104 Shields

Steen Surface Townley Vogel Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 005

Bonner Copeland Richardson Schwab Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Stroker, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

HS HCS HB 1095, relating to governmental meetings and records, was taken up by Representative Smith.

On motion of Representative Smith, **HS HCS HB 1095** was read the third time and passed by the following vote:

AYES: 129

Auer Backer Ballard Barnett Barry 100

Bartelsmeyer Bartlett Bauer Berkstresser Bland

Boatright Boucher Bray 84 Broach Burton
Campbell Carter Champion Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Davis 122
Davis 63 Days DeMarce Dolan Dougherty
Edwards-Pavia Elliott Enz Farnen Fitzwater
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Griesheimer Gunn Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Lograsso Luetkenhaus Marble Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Nordwald O'Connor
O'Toole Overschmidt Parker Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Ridgeway Rizzo Ross Sallee Scheve
Schilling Scott Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Stokan Stoll
Stroker Surface Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Williams 121 Wilson Wooten Mr. Speaker

NOES: 024

Akin Alter Bennett Chrismer Daniels 41
Donovan Evans Foley Green Gross
Hohulin Kasten Kauffman Linton Long
Loudon May 108 Naeger Ostmann Patek
Robirds Secrest Steen Summers

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner Copeland Hagan-Harrell Richardson Schwab
Shear Thomason 163 Wiggins Williams 159

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Treadway, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL - INFORMAL CALENDAR

HCS HB 1197, relating to family development accounts, was taken up by Representative Gunn.

On motion of Representative Gunn, **HCS HB 1197** was read the third time and passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bauer Bennett

Berkstresser Bland Boatright Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thompson 72 Treadway Troupe

Van Zandt Vogel Wannenmacher Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 002

Murphy Townley

PRESENT: 000

ABSENT WITH LEAVE: 013

Bartelsmeyer Bonner Copeland Hagan-Harrell Hall

O'Connor Richardson Schwab Shear Thomason 163

Thompson 37 Wiggins Wooten

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative O'Connor moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 746, entitled:

An act to repeal section 143.751, RSMo 1994, relating to taxation, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 861, entitled:

An act to repeal section 238.240, RSMo Supp. 1997, relating to transportation development districts, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 908, entitled:

An act to amend chapter 536, RSMo, by adding thereto one new section relating to remedies for hardship caused by new or changed interpretations of law by executive branch administration agencies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 925, entitled:

An act to repeal section 87.371, RSMo Supp. 1997, relating to the firefighter's retirement system of the City of St. Louis, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency Clause adopted.

In which the concurrence of the House is respectfully requested.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Krieder.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dwayne Hemmer, Tom Heppermann, Keith Widamann, Amanda Strunk, Will Moffatt, Anna Moffatt and Drace Johnson.

RESOLUTIONS

Representative Williams (159) offered House Resolution No. 469, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fritts offered House Resolution No. 470, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 471, which was referred to the Committee on Miscellaneous Bills and Resolutions.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HS HCS HB 1161, relating to drinking water, was taken up by Representative Wiggins.

On motion of Representative Wiggins, HS HCS HB 1161 was read the third time and passed by the following vote:

AYES: 155

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Scott Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Akin Bray 84 Copeland Daniel 42 Ford

Green Schwab

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Scheve Schilling

Scott Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 003

Hendrickson Hohulin Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 009

Akin Bray 84 Copeland Daniel 42 Ford

Green Loudon Sallee Schwab

VACANCIES: 001

On motion of Representative Boucher, title to the bill was agreed to.

Representative Koller moved that the vote by which the bill passed be reconsidered.

Representative Hoppe moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HCS HB 1434, with House Amendment No. 5 and HS, as amended, pending, relating to license plates, was again taken up by Representative Thomason (163).

On motion of Representative Rizzo, House Amendment No. 5 was adopted.

Representative Koller offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1434, by adding at the end of the bill the following:

Section A. Section 301.177, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 301.177, to read as follows:

301.177. 1. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a nonresident buyer for not more than fifteen days from the date of purchase. Proof of ownership must be presented to the director and application for such permit shall be made upon a blank form furnished by the director of revenue and shall contain a full description of the motor vehicle, including manufacturer's or other identifying number.

2. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true, and, if satisfied that the applicant is the lawful owner of such motor vehicle, issuance of such permit shall be granted and the director shall furnish an appropriate placard evidencing the issuance thereof to be displayed on the vehicle. A fee of ten dollars shall be collected upon the issuance of each such permit.

3. The temporary permit shall be made available by the director of the department of revenue and may be purchased from the director or from a dealer upon purchase of a motor vehicle or trailer by a nonresident buyer. The director shall make temporary permits available to registered dealers in this state in sets of ten plates or permits. The fee for the temporary permit shall be ten dollars for each permit or plate issued. No dealer shall charge more than ten dollars for each permit issued. The permit shall be valid for a period of fifteen days from the date of issuance by the director to the buyer of a motor vehicle or trailer or from the date of sale of the motor vehicle or trailer by a dealer for which the buyer obtains a permit pursuant to this subsection.

On motion of Representative Koller, House Amendment No. 6 was adopted.

Representative Treadway offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Bill No. 1434, Page 1, In the Title, Line 15, by deleting the words "thirty-three" and inserting in lieu thereof the words "thirty-four"; and

Further amend said bill, Page 2, Section A, Line 10, by deleting the words "thirty-three" and inserting in lieu thereof the words "thirty-four"; and

Further amend said bill, Page 2, Section A, Lines 10 and 11, by deleting the numbers and word "8 and 9" and inserting in lieu thereof the numbers and word "8, 9 and 10"; and

Further amend said bill, Page 28, Section 9, Line 31, by inserting immediately after all of said section, the following:

"Section 10. The director of the department of revenue shall provide for the retention of license plates by owners of school buses, as defined in section 301.010, RSMo, except when the director determines that new plates are necessary. The director may issue school bus owners tabs or similar devices to be affixed to existing license plates as proof of registration.".

On motion of Representative Treadway, House Amendment No. 7 was adopted.

Representative DeMarce offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill No. 1434, Page 68, Section 9, Line 7, by adding thereto one new section to be known as section 10, to read as follows:

Section 10. 1. Notwithstanding any other provisions of law to the contrary, if a small trailer is registered annually pursuant to the provisions of chapter 301, RSMo, then such trailer may be registered, at the option of its owner, during the same month as the owner registers any motor vehicle owned by such owner.

2. The director of the department of revenue, if necessary, shall prorate the fee required for a trailer pursuant to section 301.067, RSMo, if the registration period for such trailer is changed pursuant to this section. The annual fee for a trailer registered pursuant to this section shall not, unless prorated, exceed the fee required pursuant to section 301.067, RSMo.

3. The director shall provide for the permanent retention of license plates by the owners of small trailers except in circumstances where the director determines the plate has been defaced or destroyed.

4. For the purposes of this section, the term, "small trailer" shall mean a trailer as defined in section 301.010, RSMo, which has a length not exceeding twelve feet, a width not exceeding eight and one-half feet and only one axle, or a vessel trailer as defined in section 301.550, RSMo.

5. Section 10 of this act shall become effective January 1, 1999.

On motion of Representative DeMarce, House Amendment No. 8 was adopted.

Representative Bauer offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill No. 1434, Page 1, In the Title, Line 17, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 2, Section A, Line 6, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 2, Section A, Line 11, by deleting the following: "8 and 9," and inserting in lieu thereof the following: "8, 9 and 10"; and

Further amend said bill, Page 68, Section 9, Line 7, by inserting immediately after all of said line the following:

"Section 10. 1. Any person may receive license plates as prescribed in this section, for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, RSMo, or for a local or nonlocal property-carrying commercial motor vehicle licensed for a gross weight not in excess of twelve thousand pounds as provided in section 301.057 or 301.058, RSMo, after an annual payment of an emblem-use authorization fee to the St. Louis Italian-American Bocce Club. The St. Louis Italian-American Bocce Club hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to the St. Louis Italian-American Bocce Club derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the St. Louis Italian-American Bocce Club. Any member of the St. Louis Italian-American Bocce Club may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five-dollar emblem-use contribution to the St. Louis Italian-American Bocce Club, the St. Louis Italian-American Bocce Club shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen-dollar fee in addition to the registration fees and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized license plate which shall bear the emblem of the St. Louis Italian-American Bocce Club. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo.

3. A vehicle owner, who was previously issued a plate with the St. Louis Italian-American Bocce Club emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the St. Louis Italian-American Bocce Club emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.".

On motion of Representative Bauer, House Amendment No. 9 was adopted.

Representative May (108) offered House Amendment No. 10.

House Amendment No. 10 was withdrawn.

Representative Gratz offered House Amendment No. 10.

House Amendment No. 10 was withdrawn.

Representative May (108) offered House Amendment No. 10.

Representative Hohulin raised a point of order that House Amendment No. 10 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Gratz offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill No. 1434, Page 68, Section 9, Line 7, by inserting after said line the following:

"Section 10. All license plates shall bear the county of residence where the owner resides."

Representative Shields raised a point of order that House Amendment No. 10 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Gratz moved that House Amendment No. 10 be adopted.

Which motion was defeated.

Representative Smith offered House Amendment No. 11.

House Amendment No. 11 was withdrawn.

Representative Howerton offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bill No. 1434, Page 1, In the Title, Line 17, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 2, Section A, Line 6, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 2, Section A, Line 11, by deleting the following: "8 and 9," and inserting in lieu thereof the following: "8, 9 and 10"; and

Further amend said bill, Page 68, Section 9, Line 7, by inserting immediately after all of said line the following:

"Section 10. 1. Any person may receive license plates as prescribed in this section, for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, RSMo, or for a local or nonlocal property-carrying commercial motor vehicle licensed for a gross weight not in excess of twelve thousand pounds as provided in section 301.057 or 301.058, RSMo, after an annual payment of an emblem-use authorization fee to Ducks Unlimited. Ducks Unlimited hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to Ducks Unlimited derived from this section, except reasonable administrative costs, shall be used solely for the purposes of Ducks Unlimited. Any member of Ducks Unlimited may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five-dollar emblem-use contribution to Ducks Unlimited, Ducks Unlimited shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen-dollar fee in addition to the registration fees and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized license plate which shall bear the emblem of Ducks Unlimited. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo.

3. A vehicle owner, who was previously issued a plate with the Ducks Unlimited emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Ducks Unlimited emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.".

On motion of Representative Howerton, House Amendment No. 11 was adopted.

Representative Hartzler (124) offered House Amendment No. 12.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bill No. 1434, Page 1, In the Title, Line 3, by inserting immediately after the word "sections" the following: "301.025,"; and

Further amend said bill, Page 1, In the Title, Line 17, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 1, Section A, Line 21, by inserting immediately after the word "sections" the following: "301.025,"; and

Further amend said bill, Page 2, Section A, Line 6, by deleting the word "thirty-three" and inserting in lieu thereof the word "thirty-four"; and

Further amend said bill, Page 2, Section A, Line 7, by inserting immediately after the words "to be known as sections" the following: "301.025,"; and

Further amend said bill, Page 2, Section A, Line 12, by inserting immediately after all of said line the following:

"301.025. 1. No state registration license to operate any motor vehicle in this state shall be issued unless the application for license of a motor vehicle or trailer is accompanied by a tax receipt or a statement certified by the county or township collector of the county or township in which the applicant's property was assessed showing that the state and county tangible personal property taxes for the preceding year, or for the current year when the motor vehicle is being registered in December for an upcoming January registration, have been paid by the applicant or that no such taxes were due or, if the applicant is not a resident of this state and serving in the armed forces of the United States, the application is accompanied by a leave and earnings statement from such person verifying such status. Every county and township collector shall give each person a tax receipt or a certified statement of tangible personal property taxes paid. The receipt issued by the county collector in any county of the first classification with a charter form of government which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county, any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand inhabitants which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county and any county of the first classification without a charter form of government with a population of at least one hundred ten thousand but less than one hundred fifty thousand inhabitants shall be determined null and void if the person paying tangible personal property taxes issues or passes a check or other similar sight order which is returned to the collector because the account upon which the check or order was drawn was closed or did not have sufficient funds at the time of presentation for payment by the collector to meet the face amount of the check or order. The collector may assess and collect in addition to any other penalty or interest that may be owed, a penalty of ten dollars or five percent of the total amount of the returned check or order whichever amount is greater to be deposited in the county general revenue fund, but in no event shall such penalty imposed exceed one hundred dollars. The collector may refuse to accept any check or other similar sight order in payment of any tax currently owed plus penalty or interest from a person who previously attempted to pay such amount with a check or order that was returned to the collector unless the remittance is in the form of a cashier's check, certified check or money order. If a person does not comply with the provisions of this section, a tax receipt issued pursuant to this section is null and void and no state registration license shall be issued or renewed. Where no such taxes are due each such collector shall, upon request, certify such fact and transmit such statement to the person making the request. Each receipt or statement shall describe by type the total number of motor vehicles on which personal property taxes were paid, and no renewal of any state registration license shall be issued to any person for a number greater than that shown on his tax receipt or statement except for a vehicle which was purchased without another vehicle being traded therefor, or for a vehicle previously registered in another state, provided the application for title or other evidence shows that the date the vehicle was purchased or was first registered in this state was such that no personal property tax was owed on said vehicle as of the date of the last tax receipt or certified statement prior to the renewal. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms.

2. Every county collector in counties with a population of over six hundred thousand and less than nine hundred thousand shall give priority to issuing tax receipts or certified statements pursuant to this section for any person whose motor vehicle registration expires in January. Such collector shall send tax receipts or certified statements for personal property taxes for the previous year within three days to any person who pays the

person's personal property tax in person, and within twenty working days, if the payment is made by mail. Any person wishing to have priority pursuant to this subsection shall notify the collector at the time of payment of the property taxes that a motor vehicle registration expires in January. Any person purchasing a new vehicle in December and licensing said vehicle in January of the following year, may use the personal property tax receipt of the prior year as proof of payment.

3. In addition to all other requirements, the director of revenue shall not register any vehicle subject to the heavy vehicle use tax imposed by Section 4481 of the Internal Revenue Code of 1954 unless the applicant presents proof of payment, or that such tax is not owing, in such form as may be prescribed by the United States Secretary of the Treasury. No proof of payment of such tax shall be required by the director until the form for proof of payment has been prescribed by the Secretary of the Treasury.".

On motion of Representative Hartzler (124), House Amendment No. 12 was adopted.

Representative Scott offered House Amendment No. 13.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bill No. 1434, Page 5, Section 301.131, Line 9, by inserting after all of said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of fifteen days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within fifteen days. The director shall issue a temporary permit or paper plate authorizing the operation of a motor vehicle or trailer by a buyer for not more than [twenty] thirty days of the date of purchase.

5. The temporary permit or paper plate shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary plates or permits available to registered dealers in this state in sets of ten plates or permits. The fee for the temporary permit or plate shall be seven dollars and fifty cents for each permit or plate issued. No dealer shall charge more than seven dollars and fifty cents for each permit issued. The permit or plate shall be valid for a

period of [twenty] thirty days from the date of [issuance by the director of revenue to the purchaser of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit or plate as set out above] purchase of the motor vehicle or trailer.

6. The permit or plate shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable him to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Permits or paper plates issued under this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit and plate.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the paper plate or permit when issued to the buyer. The dealer shall also insert his dealer's number on the paper plate. Every dealer that issues a temporary permit or paper plate shall keep, for inspection of proper officers, a correct record of each permit or plate issued by him by recording the permit or plate number, buyer's name and address, year, make, manufacturer's number of vehicle on which the permit or plate is to be used, and the date of issuance."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Scott, House Amendment No. 13 was adopted.

On motion of Representative Thomason (163), HS HCS HB 1434, as amended, was adopted.

On motion of Representative Thomason (163), HS HCS HB 1434, as amended, was ordered perfected and printed.

HB 1694, with House Committee Amendment No. 1, relating to advantage Missouri program, was taken up by Representative Farnen.

Representative Farnen offered HS HB 1694.

Representative Froelker offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1694, Page 2, Section 2, Line 16 of said page, by inserting immediately before the word "two-year" the words "one-year or"; and

Further amend said bill, Page 3, Section 2, Line 8 of said page, by inserting immediately before the word "two-year" the words "one-year or".

On motion of Representative Froelker, House Amendment No. 1 was adopted.

Representative Scheve assumed the Chair.

Representative Akin offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Bill No. 1694, Page 8, Section 8, Line 21, by adding an additional section to read as follows:

Section 9.

If,

(1) A student trains in an occupational area of high demand, and

(2) Receives a degree or certificate in said area, and

(3) Tries to obtain a job within the state in said area for a period of 6 months without success, then the board shall forgive all loans to said student issued under this program.

Representative Akin moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 047

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Chrismer Cierpiot Crawford Dolan Edwards-Pavia

Elliott Enz Evans Foster Gaskill

Gibbons Graham 24 Hall Hartzler 123 Hartzler 124

Hendrickson Holand Kelley 47 Klindt Legan

Levin Linton Loudon Marble Murphy

Naeger Pryor Richardson Ridgeway Robirds

Scott Secrest Sheldon 104 Shelton 57 Summers

Surface Townley

NOES: 105

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Campbell Carter

Champion Clayton Cooper Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Donovan Farnen Fitzwater Foley Ford

Fritts Froelker Gaston Graham 106 Gratz

Green Griesheimer Gunn Hagan-Harrell Harlan

Heckemeyer Hegeman Hickey Hilgemann Hohulin

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Liese Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Nordwald O'Connor O'Toole Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Rizzo Ross

Sallee Scheve Schilling Seigfreid Shear

Shields Skaggs Smith Steen Stokan

Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Treadway Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 009

Bray 84 Copeland Dougherty Franklin Gross

Lograsso Long Ostmann Schwab

VACANCIES: 001

On motion of Representative Farnen, HS HB 1694, as amended, was adopted.

On motion of Representative Farnen, HS HB 1694, as amended, was ordered perfected and printed.

HB 1322, with House Committee Amendment No. 1, relating to health maintenance organizations, was taken up by Representative Foley.

On motion of Representative Foley, House Committee Amendment No. 1 was adopted.

Representative Naeger offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1322, Page 1, Section 354.535, Line 7, by inserting after the word "contract." the following: "For purposes of this section, a health maintenance organization includes any other managed care entity or preferred provider entity.".

On motion of Representative Naeger, House Amendment No. 1 was adopted.

Representative Naeger offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 1322, Page 2, Section 5, Line 30, by inserting the following at the end of said section and line:

"Nothing in this provision, however, shall apply to the dispensing of generically equivalent products for prescribed brand name maintenance drugs as set forth in section 338.056, RSMo."

On motion of Representative Naeger, House Amendment No. 2 was adopted.

On motion of Representative Foley, HB 1322, as amended, was ordered perfected and printed.

Speaker Pro Tem Kreider resumed the Chair.

HCS HB 1526, relating to pledged property, was taken up by Representative May (108).

Representative Pouche offered House Amendment No. 1.

Representative May (108) raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative May (108), HCS HB 1526 was adopted.

On motion of Representative May (108), HCS HB 1526 was ordered perfected and printed.

HCS HB 1143, relating to wireless emergency telecommunications, was taken up by Representative Mays (50).

Representative Green assumed the Chair.

Representative Mays (50) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1143, Page 2, Section 190.410, Line 12, by deleting the word "service" and inserting in lieu thereof the word "safety".

On motion of Representative Mays (50), House Amendment No. 1 was adopted.

Representative Smith offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1143, Page 4, Section 190.430, Line 31, by adding the following after the word "administration", "provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said section."

On motion of Representative Smith, House Amendment No. 2 was adopted.

Representative Thomason (163) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1143, Page 3, Section 190.430, Line 2, by deleting the word "fifty" and inserting in lieu thereof the words "seventy-five".

On motion of Representative Thomason (163), House Amendment No. 3 was adopted.

Representative Gaston offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1143, Page 1, In the Title, Line 2, by deleting the word

"five" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word "five" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after the word "sections" the figure "190.313,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after all of said line the following:

"190.313. All telephone calls and telephone call transmissions received as a result of a service user dialing 911 and all tapes containing records of such telephone calls are closed pursuant to chapter 610, RSMo, and shall be used only for the purpose of handling emergency calls and for public safety purposes as may be needed for law enforcement, fire, medical, rescue or other emergency services. The calls shall only be released to an otherwise unauthorized party upon the written consent of the person whose voice is recorded or upon order of the court.".

On motion of Representative Gaston, House Amendment No. 4 was adopted.

Representative O'Toole offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1143, Page 5, Section 190.440, Line 13, by striking the word "fifty" and inserting in lieu thereof the word "seventy-five".

On motion of Representative O'Toole, House Amendment No. 5 was adopted.

Representative Froelker offered House Amendment No. 6.

House Amendment No. 6 was withdrawn.

On motion of Representative Mays (50), HCS HB 1143, as amended, was adopted.

On motion of Representative Mays (50), HCS HB 1143, as amended, was ordered perfected and printed.

On motion of Representative Backer, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

Speaker Gaw resumed the Chair.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jeanette Robinson and Leora Montgomery.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1033, relating to local government employees' retirement, was taken up by Representative Franklin.

On motion of Representative Franklin, HB 1033 was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hall Harlan Hartzler 123 Heckemeyer Hegeman

Hendrickson Hilgemann Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 004

Edwards-Pavia Evans Hohulin Kauffman

PRESENT: 001

Bartelsmeyer

ABSENT WITH LEAVE: 008

Copeland Ford Hagan-Harrell Hartzler 124 Hickey

Holand Pryor Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Dougherty moved that the vote by which the bill passed be reconsidered.

Representative Auer moved that motion lay on the table.

The latter motion prevailed.

HB 1794, relating to mortgage insurance, was taken up by Representative Monaco.

On motion of Representative Monaco, HB 1794 was read the third time and passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hendrickson

Hilgemann Hohulin Hollingsworth Hoppe Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Toole Ostmann

Overschmidt Parker Patek Pouche Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Scott Secrest Seigfreid
Shear Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 002

Hosmer Murphy

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Hagan-Harrell Hegeman Hickey Holand
O'Connor Pryor Schwab Stoll

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bray, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Bartlett moved that motion lay on the table.

The latter motion prevailed.

HB 1508, relating to prison commitment, was taken up by Representative Relford.

On motion of Representative Relford, HB 1508 was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hollingsworth Hoppe Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Scheve Schilling Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Daniel 42 Hickey Hohulin Holand

Hosmer Levin Sallee Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Alter Auer Backer Ballard Barnett

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 010

Akin Boatright Elliott Gross Hohulin

Klindt Merideth Murphy Pouche Steen

PRESENT: 000

ABSENT WITH LEAVE: 007

Barry 100 Copeland Daniel 42 Hickey Holand

Schwab Thompson 37

VACANCIES: 001

On motion of Representative Campbell, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative DeMarce moved that motion lay on the table.

The latter motion prevailed.

HB 1037, relating to equipment dealers and manufacturers, was taken up by Representative Leake.

Representative Leake offered House Perfecting Amendment No. 1.

House Perfecting Amendment No. 1

Amend House Bill No. 1037, Page 1, Section 1, Line 4, by deleting the number "407.757," and inserting in lieu thereof the number "407.756,"

On motion of Representative Leake, House Perfecting Amendment No. 1 was adopted.

On motion of Representative Leake, HB 1037, as amended, was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Kauffman

PRESENT: 000

ABSENT WITH LEAVE: 005

Copeland Daniel 42 Hickey McClelland Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Fritts, title to the bill was agreed to.

Representative Bland moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

HB 1300, relating to temporary permits, was taken up by Representative Kennedy.

On motion of Representative Kennedy, HB 1300 was read the third time and passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Copeland Daniel 42 Hickey Murphy Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Graham (24) moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

HB 931, relating to disposition of evidence, was taken up by Representative Carter.

On motion of Representative Carter, HB 931 was read the third time and passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Scott Secrest Seigfreid
Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 001

Kauffman

PRESENT: 000

ABSENT WITH LEAVE: 004

Copeland Daniel 42 Hickey Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Gratz moved that the vote by which the bill passed be reconsidered.

Representative Heckemeyer moved that motion lay on the table.

The latter motion prevailed.

HB 898, relating to highway patrol, was taken up by Representative Heckemeyer.

On motion of Representative Heckemeyer, HB 898 was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 002

Edwards-Pavia Green

PRESENT: 000

ABSENT WITH LEAVE: 004

Copeland Hickey Linton Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Johnson, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

HB 1239, relating to victims of crimes, was taken up by Representative Parker.

On motion of Representative Parker, HB 1239 was read the third time and passed by the following vote:

AYES: 158

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Copeland Hickey Kasten Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Harlan, title to the bill was agreed to.

Representative Luetkenhaus moved that the vote by which the bill passed be reconsidered.

Representative May (108) moved that motion lay on the table.

The latter motion prevailed.

HB 1309, relating to mergers of domestic corporations and wholly owned subsidiary, was taken up by Representative Clayton.

On motion of Representative Clayton, HB 1309 was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lawson Leake Legan Levin

Liese Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Scott Secrest
Seigfreid Shear Sheldon 104 Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 006

Boatright Hohulin Kauffman Lakin Linton
Murphy

PRESENT: 000

ABSENT WITH LEAVE: 003

Copeland Hickey Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Monaco moved that the vote by which the bill passed be reconsidered.

Representative O'Connor moved that motion lay on the table.

The latter motion prevailed.

HB 1566, relating to drug dealer civil liability, was taken up by Representative Johnson.

On motion of Representative Johnson, HB 1566 was read the third time and passed by the following vote:

AYES: 087

Auer Backer Barnett Barry 100 Bonner
Boucher Broach Campbell Clayton Crump
Daniels 41 Davis 122 Davis 63 DeMarce Dougherty
Farnen Fitzwater Foley Ford Franklin
Fritts Gaskill Gaston Graham 106 Graham 24

Gratz Green Hagan-Harrell Harlan Hartzler 123
Heckemeyer Hickey Hilgemann Holand Hollingsworth
Hoppe Hosmer Johnson Kelley 47 Kelly 27
Kennedy Kissell Koller Kreider Lakin
Lawson Leake Liese Luetkenhaus May 108
Mays 50 McBride McLuckie Merideth Monaco
Murray O'Connor O'Toole Overschmidt Parker
Ransdall Relford Reynolds Rizzo Robirds
Scheve Seigfreid Shear Sheldon 104 Shelton 57
Skaggs Smith Stokan Stoll Stroker
Surface Thomason 163 Townley Treadway Van Zandt
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 068

Akin Alter Ballard Bartelsmeyer Bartlett
Bennett Berkstresser Boatright Bray 84 Burton
Carter Champion Chrismer Cierpiot Cooper
Crawford Daniel 42 Days Dolan Donovan
Edwards-Pavia Elliott Enz Evans Foster
Gibbons Griesheimer Gross Gunn Hartzler 124
Hegeman Hendrickson Hohulin Howerton Kasten
Kauffman Klindt Legan Levin Linton
Lograsso Long Loudon Marble McClelland
Miller Murphy Naeger Nordwald Ostmann
Patek Pouche Pryor Purgason Reinhart
Richardson Ridgeway Ross Sallee Schilling
Scott Secrest Shields Steen Summers
Thompson 72 Troupe Vogel

PRESENT: 001

Bland

ABSENT WITH LEAVE: 006

Bauer Copeland Froelker Hall Schwab
Thompson 37

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Murray, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

HB 1299, relating to public school retirement system of Kansas City, was taken up by Representative Skaggs.

On motion of Representative Skaggs, HB 1299 was read the third time and passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Elliott Enz Evans
Farnen Fitzwater Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hilgemann Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Scott Secrest Seigfreid
Shear Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 004

Edwards-Pavia Hohulin Kauffman Naeger

PRESENT: 000

ABSENT WITH LEAVE: 006

Copeland Foley Green Hall Hickey

Schwab

VACANCIES: 001

Speake Gaw declared the bill passed.

On motion of Representative Kissell, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

HB 1301, relating to taxation, was taken up by Representative Campbell.

On motion of Representative Campbell, HB 1301 was read the third time and passed by the following vote:

AYES: 158

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Copeland Hall Hickey Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Parker, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

HB 1097, relating to public assistance assets, was taken up by Representative Overschmidt.

On motion of Representative Overschmidt, HB 1097 was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Crawford Crump Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Scott Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 002

Murphy Stokan

PRESENT: 000

ABSENT WITH LEAVE: 006

Cooper Copeland Daniel 42 Hall Hickey
Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Rizzo, title to the bill was agreed to.

Representative Shelton(57) moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

HB 1599, relating to county employees' retirement system, was taken up by Representative Clayton.

On motion of Representative Clayton, HB 1599 was read the third time and passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murray Naeger Nordwald O'Connor
O'Toole Ostmann Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 001

Edwards-Pavia

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Daniel 42 Hall Hickey Murphy

Overschmidt Reynolds Schwab Steen

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Thompson (72), title to the bill was agreed to.

Representative Troupe moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

HB 1683, relating to alternative education placement hearings, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, HB 1683 was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Elliott Enz Evans Farnen Fitzwater

Foley Ford Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Ross

Sallee Scheve Schilling Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 005

Chrismer Cierpiot Edwards-Pavia Foster Robirds

PRESENT: 000

ABSENT WITH LEAVE: 004

Copeland Hall Hickey Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Thomason (163), title to the bill was agreed to.

Representative Stroker moved that the vote by which the bill passed be reconsidered.

Representative Riback Wilson moved that motion lay on the table.

The latter motion prevailed.

HB 968, relating to teacher training, was taken up by Representative Barry.

On motion of Representative Barry, HB 968 was read the third time and passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McLuckie Merideth Miller
Monaco Murphy Murray Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Rizzo Robirds Ross
Sallee Scheve Schilling Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wooten
Mr. Speaker

NOES: 006

Froelker Naeger Richardson Ridgeway Shear
Wilson

PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser Copeland Hickey McClelland Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Kennedy, title to the bill was agreed to.

Representative Williams (121) moved that the vote by which the bill passed be reconsidered.

Representative Kelly (27) moved that motion lay on the table.

The latter motion prevailed.

HB 1369, relating to oil spill liability, was taken up by Representative Smith.

On motion of Representative Smith, HB 1369 was read the third time and passed by the following vote:

AYES: 132

Akin Auer Backer Barnett Barry 100
Bartelsmeyer Bartlett Bauer Berkstresser Bland
Bonner Boucher Bray 84 Broach Burton
Campbell Carter Champion Chrismer Cierpiot
Clayton Cooper Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Dougherty Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Gaskill Gaston Gibbons Graham 106
Graham 24 Green Griesheimer Gunn Hagan-Harrell
Harlan Hartzler 123 Heckemeyer Hilgemann Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kelley 47 Kelly 27 Kennedy Kissell Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Lograsso Long Luetkenhaus
May 108 Mays 50 McBride McClelland McLuckie
Miller Monaco Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Ross Sallee Scheve Schilling Scott

Seigfreid Shear Sheldon 104 Shelton 57 Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 025

Alter Ballard Bennett Boatright Crawford

Donovan Edwards-Pavia Gratz Gross Hartzler 124

Hegeman Hendrickson Hohulin Kasten Kauffman

Klindt Linton Loudon Marble Merideth

Murphy Pouche Robirds Secrest Shields

PRESENT: 000

ABSENT WITH LEAVE: 005

Copeland Froelker Hall Hickey Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Davis (122), title to the bill was agreed to.

Representative Hagan-Harrell moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

HB 1454, relating to St. Louis police and firefighters retirement, was taken up by Representative O'Toole.

On motion of Representative O'Toole, HB 1454 was read the third time and passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 004

Copeland Hickey Murphy Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Bauer moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

HB 1088, relating to literacy study of blind students, was taken up by Representative Boucher.

On motion of Representative Boucher, HB 1088 was read the third time and passed by the following vote:

AYES: 120

Alter Auer Backer Barry 100 Bartelsmeyer
Bartlett Bauer Bland Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Cierpiot Clayton Crawford Crump
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Enz Farnen
Fitzwater Foley Ford Franklin Fritts
Froelker Gaston Graham 106 Graham 24 Green
Griesheimer Gross Gunn Hagan-Harrell Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hilgemann
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Levin Liese
Long Luetkenhaus May 108 Mays 50 McBride
McClelland McLuckie Monaco Murray O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Purgason Ransdall Reinhart Relford Reynolds
Rizzo Ross Sallee Scheve Schilling
Scott Secrest Seigfreid Shear Sheldon 104
Shelton 57 Shields Skaggs Smith Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Treadway Troupe Van Zandt
Vogel Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 036

Akin Ballard Barnett Bennett Berkstresser

Boatright Chrismer Cooper Edwards-Pavia Elliott
Evans Foster Gaskill Gibbons Gratz
Hendrickson Hohulin Legan Linton Lograsso
Loudon Marble Merideth Miller Murphy
Naeger Nordwald Pouche Pryor Richardson
Ridgeway Robirds Steen Townley Wannenmacher
Wooten

PRESENT: 000

ABSENT WITH LEAVE: 006

Copeland Daniel 42 Hall Hickey Schwab
Wiggins

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Days, title to the bill was agreed to.

Representative DeMarce moved that the vote by which the bill passed be reconsidered.

Representative Carter moved that motion lay on the table.

The latter motion prevailed.

HB 1569, relating to corporations, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, HB 1569 was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 002

Murphy Wooten

PRESENT: 001

Wannenmacher

ABSENT WITH LEAVE: 005

Copeland Daniel 42 Hickey Pouche Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

HB 1588, relating to fire education fund, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, HB 1588 was read the third time and passed by the following vote:

AYES: 138

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Bonner Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Heckemeyer Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Parker Patek Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Vogel Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

NOES: 018

Ballard Boatright Edwards-Pavia Gibbons Hall

Hartzler 123 Hartzler 124 Hegeman Hendrickson Kauffman

Legan Murphy Pouche Robirds Steen

Townley Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 006

Boucher Copeland Daniel 42 Hickey Overschmidt

Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Kennedy, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

HB 1506, relating to telephone companies, was taken up by Representative O'Toole.

On motion of Representative O'Toole, HB 1506 was read the third time and passed by the following vote:

AYES: 141

Akin Alter Auer Backer Barnett

Barry 100 Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crump Daniels 41

Davis 63 Days Dolan Donovan Dougherty

Enz Evans Farnen Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Holand Hollingsworth

Hoppe Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus May 108 Mays 50

McBride McClelland McLuckie Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Ross

Sallee Scheve Schilling Scott Secrest

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 016

Ballard Bartelsmeyer Boatright Crawford Davis 122

DeMarce Edwards-Pavia Elliott Fitzwater Hartzler 123

Marble Merideth Murphy Robirds Seigfreid

Summers

PRESENT: 000

ABSENT WITH LEAVE: 005

Copeland Daniel 42 Hickey Hosmer Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Rizzo, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

HB 1055, relating to franchises and other agreements between motorcycle dealers and manufacturers, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), HB 1055 was read the third time and passed by the following vote:

AYES: 142

Akin Auer Backer Ballard Barnett

Barry 100 Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Clayton Cooper Crawford Crump

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Graham 106 Graham 24 Gratz

Green Griesheimer Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hilgemann Hohulin

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kelley 47 Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Lograsso Long

Loudon Luetkenhaus May 108 Mays 50 McBride

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 015

Alter Bartelsmeyer Cierpiot Gibbons Gross

Hegeman Hendrickson Holand Kauffman Klindt

Linton Marble McClelland Murphy Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 005

Copeland Daniel 42 Hall Hickey Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Carter, title to the bill was agreed to.

Representative Hoppe moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

HB 1052, relating to workfare renovation project, was taken up by Representative Ford.

Representative Ford offered House Perfecting Amendment No. 1.

House Perfecting Amendment No. 1

AMEND House Bill No. 1052, Page 1, Line 2 of the Title by deleting the number "31.111" and inserting in lieu thereof the number "32.111".

On motion of Representative Ford, House Perfecting Amendment No. 1 was adopted.

On motion of Representative Ford, HB 1052, as amended, was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Scheve Schilling Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 002

Edwards-Pavia Merideth

PRESENT: 000

ABSENT WITH LEAVE: 006

Copeland Daniel 42 Hall Hickey Sallee

Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Murray, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

HB 1511, relating to local log truck, was taken up by Representative Koller.

On motion of Representative Koller, HB 1511 was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Levin

Liese Linton Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland Daniel 42 Dolan Hall Hickey

Legan Lograsso Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gunn, title to the bill was agreed to.

Representative Monaco moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

HB 1092, relating to physically disabled license plates, was taken up by Representative Rizzo.

On motion of Representative Rizzo, HB 1092 was read the third time and passed by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Edwards-Pavia
Elliott Enz Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Lakin Lawson
Leake Levin Liese Linton Lograsso
Long Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Scott Secrest Seigfreid Shear Sheldon 104
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wooten Mr. Speaker

NOES: 005

Evans Kreider Loudon Pryor Summers

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Crump Daniel 42 Dougherty Hall

Hickey Legan Schwab Wilson

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Bland moved that the vote by which the bill passed be reconsidered.

Representative O'Connor moved that motion lay on the table.

The latter motion prevailed.

HB 1763, relating to public school employee retirement system, was taken up by Representative Stoll.

On motion of Representative Stoll, HB 1763 was read the third time and passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Copeland Daniel 42 Hall Hickey Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Johnson, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

HB 1162, relating to Jim Sears' Leadership Scholarship, was taken up by Representative DeMarce.

On motion of Representative DeMarce, HB 1162 was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Scott Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Copeland Daniel 42 Hall Hickey Hohulin

Murphy Schwab

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Kelly (27), title to the bill was agreed to.

Representative Parker moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

HB 1059, relating to credit transactions, was taken up by Representative Liese.

On motion of Representative Liese, HB 1059 was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Crump Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Griesheimer Gross Gunn
Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Levin Liese Linton Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Scott Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Nordwald

ABSENT WITH LEAVE: 012

Cooper Copeland Crawford Daniel 42 Green

Hall Hickey Kauffman Legan Lograsso

Schwab Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Fritts, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative Heckemeyer moved that motion lay on the table.

The latter motion prevailed.

HB 1707, relating to state treasurer, was taken up by Representative Liese.

On motion of Representative Liese, HB 1707 was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Crawford Crump Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Levin Liese Linton Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Cooper Copeland Daniel 42 Green Hall

Hickey Hohulin Kauffman Legan Lograsso

Schwab Shear Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Kennedy, title to the bill was agreed to.

Representative Kissell moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

HB 1704, relating to university of Missouri, was taken up by Representative Leake.

On motion of Representative Leake, HB 1704 was read the third time and passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Crawford Crump Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Scheve Schilling Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 159 Wilson

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Cooper Copeland Daniel 42 Hall Hickey
Kauffman Sallee Schwab Shear Williams 121
Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Murray, title to the bill was agreed to.

Representative Parker moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

HB 1562, relating to surplus property, was taken up by Representative Relford.

On motion of Representative Relford, HB 1562 was read the third time and passed by the following vote:

AYES: 142

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Crawford
Crump Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Green Griesheimer Gunn Hagan-Harrell
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hilgemann Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Levin

Liese Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Shelton 57 Shields Skaggs Smith Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Wannenmacher Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 006

Bennett Gratz Gross Hohulin Purgason

Sheldon 104

PRESENT: 000

ABSENT WITH LEAVE: 014

Cooper Copeland Daniel 42 Hall Hickey

Kauffman Legan Linton Lograsso Schwab

Shear Steen Vogel Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Seigfreid moved that the vote by which the bill passed be reconsidered.

Representative Thomason (163) moved that motion lay on the table.

The latter motion prevailed.

HB 1120, relating to public officers and employees, was taken up by Representative Griesheimer.

On motion of Representative Griesheimer, HB 1120 was read the third time and passed by the following vote:

AYES: 114

Akin Alter Auer Ballard Barry 100

Bartlett Bauer Berkstresser Bland Boatright

Bonner Boucher Bray 84 Broach Chrismer

Clayton Crawford Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Enz Evans Farnen Fitzwater Foley

Ford Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 24 Green Griesheimer

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hendrickson Hilgemann Holand Hollingsworth

Hoppe Hosmer Johnson Kasten Kelley 47

Kennedy Kissell Koller Kreider Lakin

Leake Levin Liese Lograsso Loudon

Luetkenhaus Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor Ostmann Overschmidt Parker

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Rizzo Robirds Ross

Sallee Scheve Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Skaggs Steen Stokan

Stoll Stroker Surface Thomason 163 Thompson 37

Thompson 72 Townley Troupe Van Zandt Wannenmacher

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 033

Backer Barnett Bartelsmeyer Bennett Burton

Campbell Carter Champion Cierpiot Edwards-Pavia

Elliott Foster Graham 106 Gross Hegeman

Hohulin Howerton Klindt Lawson Legan

Long Marble May 108 Murphy O'Toole

Patek Richardson Ridgeway Schilling Shields

Smith Summers Treadway

PRESENT: 000

ABSENT WITH LEAVE: 015

Cooper Copeland Crump Daniel 42 Gratz

Hall Hickey Kauffman Kelly 27 Linton

Schwab Shear Vogel Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Van Zandt, title to the bill was agreed to.

Representative Stroker moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

HB 1226, relating to detention facilities, was taken up by Representative May (108).

On motion of Representative May (108), HB 1226 was read the third time and passed by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Crawford Crump Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Wannenmacher Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Cooper Copeland Daniel 42 Gratz Hall

Hickey Hohulin Kauffman Schwab Shear

Smith Steen Vogel Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Williams (159), title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Sheldon (104) moved that motion lay on the table.

The latter motion prevailed.

HB 1587, relating to tourism tax, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, HB 1587 was read the third time and passed by the following vote:

AYES: 128

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Bonner Boucher Bray 84

Burton Campbell Carter Champion Chrismer

Crawford Crump Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Gaskill Gaston

Graham 106 Graham 24 Gratz Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Heckemeyer

Hendrickson Hilgemann Holand Hollingsworth Hoppe

Hosmer Johnson Kasten Kelley 47 Kelly 27

Kennedy Kissell Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Miller

Monaco Murray Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

NOES: 023

Ballard Boatright Broach Cierpiot Clayton

Edwards-Pavia Elliott Enz Froelker Gibbons

Hartzler 124 Hegeman Hohulin Howerton Klindt

Lograsso Merideth Murphy Naeger Patek

Pouche Ridgeway Summers

PRESENT: 000

ABSENT WITH LEAVE: 011

Cooper Copeland Daniel 42 Green Hall

Hickey Kauffman Linton Schwab Shear

Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Auer Backer Barnett Barry 100 Bartelsmeyer
Bartlett Bauer Bennett Berkstresser Bland
Bonner Boucher Bray 84 Broach Burton
Campbell Carter Champion Chrismer Cierpiot
Clayton Crawford Crump Daniels 41 Davis 122
Davis 63 Days DeMarce Donovan Dougherty
Elliott Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Gaskill
Gaston Graham 106 Graham 24 Gratz Griesheimer
Gross Gunn Hagan-Harrell Harlan Hartzler 123
Heckemeyer Hendrickson Hilgemann Holand Hollingsworth
Hoppe Johnson Kasten Kelley 47 Kelly 27
Kennedy Kissell Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Long Luetkenhaus May 108 Mays 50 McBride
McClelland McLuckie Miller Monaco Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Ransdall Relford
Reynolds Richardson Rizzo Robirds Ross
Scheve Schilling Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 023

Akin Alter Ballard Boatright Edwards-Pavia
Enz Froelker Gibbons Hartzler 124 Hegeman
Howerton Klindt Lograsso Loudon Marble
Merideth Murphy Pouche Pryor Purgason
Reinhart Ridgeway Steen

PRESENT: 000

ABSENT WITH LEAVE: 015

Cooper Copeland Daniel 42 Dolan Green

Hall Hickey Hohulin Hosmer Kauffman

Linton Sallee Schwab Shear Wooten

VACANCIES: 001

On motion of Representative Johnson, title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative Crump moved that motion lay on the table.

The latter motion prevailed.

HB 1374, relating to notification of loan interest due, was taken up by Representative Scheve.

On motion of Representative Scheve, HB 1374 was read the third time and passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Crawford

Crump Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 159

Wilson Mr. Speaker

NOES: 002

Lograsso Merideth

PRESENT: 000

ABSENT WITH LEAVE: 013

ennett Cooper Copeland Daniel 42 Green

Hall Hickey Kauffman Linton Schwab

Shear Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Parker, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Mays (50) moved that motion lay on the table.

The latter motion prevailed.

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred HB 1836, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred HB 1405, HB 1109, and HB 1335, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred HB 1905, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1933, introduced by Representative Patek, relating to law enforcement officers.

HB 1934, introduced by Representative Harlan, relating to bond issues.

HB 1935, introduced by Representative Harlan, relating to teachers' salaries.

COMMITTEE CHANGE

The Speaker submitted the following committee change:

Rep. Gibbons has been appointed to the Members Host State Executive Committee for the 1999 Annual Meeting of the Southern Legislative Conference.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SB 518, entitled:

An act to repeal section 307.365, RSMo 1994, and sections 307.350 and 307.366, RSMo Supp. 1997, relating to inspections of motor vehicles, and to enact in lieu thereof four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 884, entitled:

An act to repeal section 175.020, RSMo 1994, relating to the student curator to the board of curators of Lincoln University, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 900, entitled:

An act to repeal sections 536.017 and 536.024, RSMo Supp. 1997, relating to administrative rules, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 928, entitled:

An act to authorize the conveyance of state property to the city of St. Peters.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 940, entitled:

An act to repeal sections 338.250 and 338.330, RSMo 1994, relating to the regulation of pharmacies, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 941, entitled:

An act to amend chapter 208, RSMo, by adding thereto one new section relating to eligibility for public assistance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 961, entitled:

An act to repeal section 210.109, RSMo Supp. 1997, relating to the child protection system established by the division of family services, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 963, entitled:

An act to repeal section 197.313, RSMo Supp. 1997, relating to care facility licensure, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on SCS HCS HB 1014, and has taken up and passed CCS HB 1014.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 641, entitled:

An act to repeal section 173.260, RSMo 1994, relating to the survivor grant program, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS SBs 583 & 645, entitled:

An act relating to the common language of the state.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 584, entitled:

An act to repeal sections 287.610 and 287.615, RSMo 1994, and section 286.005, RSMo Supp. 1997, relating to the department of labor and industrial relations, and to enact in lieu thereof four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SBs 610 & 835, entitled:

An act to repeal sections 323.020 and 323.060, RSMo 1994, relating to liquefied petroleum gases, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS SB 754, entitled:

An act to amend chapter 354, RSMo, by adding thereto three new sections relating to the provision of certain medical services.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 790, entitled:

An act to amend chapter 332, RSMo, by adding thereto one new section relating to dentists.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 897, entitled:

An act to repeal section 172.020, RSMo 1994, relating to the university of Missouri and its ability to sell agricultural products, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 918, entitled:

An act to repeal sections 630.520 and 630.530, RSMo 1994, relating to lease of land.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 922, entitled:

An act to repeal sections 288.126, 288.150 and 288.290, RSMo 1994, and sections 288.090, 288.130 and 288.160, RSMo Supp. 1997, relating to employment security, and to enact in lieu thereof six new sections relating to the

same subject, with penalty provisions and an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 927, entitled:

An act to repeal section 135.200, RSMo Supp. 1997, relating to revenue producing enterprises for enterprise zones, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 945, entitled:

An act to repeal section 263.527, RSMo Supp. 1997, relating to cotton growers referendum, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 947, entitled:

An act to repeal sections 162.471 and 162.481, RSMo 1994, relating to school boards, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 970, entitled:

An act to amend chapter 261, RSMo, by adding thereto one new section relating to the department of agriculture.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, March 26, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-First Day, Tuesday, March 24, 1998, pages 605 and 606, roll call, by showing Representative Hoppe voting " present" rather than "absent with leave".

Pages 621 and 622, roll call, by showing Representatives Ross, Stokan and Hoppe voting "aye" rather than "absent with leave".

Pages 626 and 627, roll call, by showing Representatives Boucher, Ross and Hoppe voting "aye" rather than "absent with leave".

Pages 628 and 629, roll call, by showing Representatives Boucher, Davis (63), Franklin, Koller, O'Connor, Hoppe and Ross voting "aye" rather than "absent with leave".

Pages 628 and 629, roll call, by showing Representative Thompson (72) voting "aye" rather than "no".

COMMITTEE MEETINGS

BUDGET

Thursday, March 26, 1998, 8:30 am. Hearing Room 9. Possible executive session on previously heard bills. Western MO training institute.

CORRECTIONAL & STATE INSTITUTIONS

Thursday, March 26, 1998. House Chamber upon morning adjournment. Executive session.

CRITICAL ISSUES

Thursday, March 26, 1998, 8:30 am. Hearing Room 5. Executive session.
To be considered - HB 1124, HB 1736, HB 1749, HB 1415, HB 1907, HB 1552, HB 1389

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, March 26, 1998, 9:00 am. Hearing Room 7.
To be considered - Executive Session - HB 1086, Executive Session - HB 1087, Executive Session - HB 1702, Executive Session - HB 1886, Executive Session - SB 658

ENVIRONMENT AND ENERGY

Thursday, March 26, 1998, 9:00 am. Hearing Room 1 and 2.
To be considered - HB 1853, HB 1928, SB 551, Executive Session - HB 1376, Executive Session - HB 1928

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Monday, March 30, 1998, 10:30 am. Hearing Room 8. Discussion of 1115 Medicaid waiver proposal.

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, March 26, 1998. Side gallery upon morning adjournment. Executive session on HB 1610. Called for good cause.

SUB-COMMITTEE ON HIGHER EDUCATION

Thursday, March 26, 1998, 9:00 am. Room 229 (Treasurer's conference room)
To be considered - HB 1796

URBAN AFFAIRS

Tuesday, March 31, 1998, 8:00 pm. Hearing Room 1 and 2. Executive session may follow.
To be considered - SB 473

UTILITIES REGULATION

Thursday, March 26, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1617

HOUSE CALENDAR

Forty-third Day, Thursday, March 26, 1998

HOUSE BILLS FOR SECOND READING

HB 1933 through HB 1935

HOUSE BILLS FOR PERFECTION

1 HCS HB 1038 - Carter

2 HB 1070 - Barry

3 HCS HB 1636 - Hoppe

4 HCS HB 1198 - Auer

5 HCS HB 1189 - Liese

6 HCS HB 1656 - Bray

7 HCS HB 971 - Smith

8 HB 1258 - Bland

9 HCS HB 1441, 937 & 1795 - Luetkenhaus

10 HCS HB 977 & 1608 - Shelton (57)

11 HCS HB 1237, 1409, 1166, 1154 & 1491 - Luetkenhaus

12 HCS HB 1405, 1109 & 1335 - Smith

13 HCS HB 972 & 1310 - Dougherty

14 HCS HB 1799 - Stroker

15 HCS HB 1537 - Troupe

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(March 24, 1998)

1 HB 1837 - Hollingsworth

2 HB 1578 - Hilgeman

3 HB 1476 - Scheve

4 HB 1117 - Kreider

5 HB 1622 - Fritts

6 HB 948 - Long

7 HB 1627 - Green

8 HB 1834 - Stoll

9 HB 1698 - Hosmer

10 HB 1385 - Summers

11 HB 1767 - Berkstresser

12 1HB 1779 - Riback Wilson

13 HB 1807 - Bartelsmeyer

14 HB 1847 - Kreider

15 HB 1862 - Crawford

16 HB 1043 - Gross

(March 25, 1998)

17 HB 1136 - Stokan

18 HB 1668 - Hosmer

(March 26, 1998)

19 HB 1905 - Kreider

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, (Budget Fiscal 3-9-98) - May (108)

2 HS HCS HB 1323 - Green

3 HB 1229, E.C. - Leake

4 HCS HB 1681 & 1342 - Koller

5 HS HCS HB 1455 & 1463, E.C. - O'Toole

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1859 - Thomason (163)

2 HB 950 - Leake

3 HB 1228 - May (108)

4 HB 1748 - Wannenmacher

5 HB 996 - Kennedy

6 HB 1444 - May (108)

7 HB 1046 - O'Toole

8 HB 1080 - Auer

9 HB 1410 - Luetkenhaus

10 HB 1274 - Farnen

11 HB 1556 - Dougherty

12 HB 1272, E.C. - Holand

13 HB 1103 - May (108)

14 HB 1201 - Summers

15 HB 1607 - Richardson

16 HB 1107 - May (108)

17 HB 1718 - Chrismer

18 HB 1357 - Broach

19 HB 1090 - Auer

20 HB 955 - Lograsso

21 HB 1113 - DeMarce

22 HB 1149 - Campbell

23 HB 1304 - Foley

24 HB 1352 - Rizzo

25 HB 1531 - Hoppe

26 HB 1468 - Reynolds

27 HB 1507 - Bray

28 HB 1734 - Backer

29 HB 1157 - McClelland

30 HB 1419 - Riback Wilson

31 HB 1802 - Thomason (163)

32 HB 1586 - Hosmer

33 HB 944 - Long

34 HB 1730 - Townley

35 HB 1293 - Pouche

36 HB 1158 - McClelland

37 HB 1705 - Hoppe

38 HB 1480 - DeMarce

39 HB 1267 - Shields

40 HB 1084 - Vogel

41 HB 1216, E.C. - Monaco

42 HB 986 - Backer

43 HB 1869 - Wiggins

44 HB 1066 - Clayton

45 HB 1805 - Chrismer

46 HB 1747, E.C. - Ostmann

44 HB 1880 - Hickey

48 HB 1145 - Lakin

49 HB 1571 - Monaco

50 HB 1596 - Leake

51 HB 1791, E.C. - Clayton

52 HB 1528 - Smith

53 1HB 1744 - Akin

SENATE BILLS FOR SECOND READING

1 SS SB 518

2 SS SCS SB 583 & 645

3 SCS SB 584

4 SCS SB 610 & 835

5 SB 641

6 SB 746

7 SS SCS SB 754

8 SCS SB 790

9 SB 861

10 SB 884

11 SCS SB 897

12 SB 900

13 SB 908

14 SB 918

15 SCS SB 922

16 SB 925

17 SB 927

18 SB 928

19 SB 940

20 SB 941

21 SB 945

22 SB 947

23 SB 961

24 SB 963

25 SB 970

SENATE BILLS FOR THIRD READING - CONSENT

(March 25, 1998)

SCS SB 707 & 484 - Scheve

COURTESY RESOLUTIONS

HR 386, and 387 - Kauffman

HR 388 - Auer

HR 389 - Patek

HR 390, and HR 391 - Clayton

HR 392 - Relford

HR 393 - Gaston

HR 394, through HR 396 - Elliott

HR 397, and HR 398 - Hartzler (123)

HR 399 - Kauffman

HR 400 - Troupe

HR 401, and HR 402 - Heckemeyer

HR 403 - Liese

HR 404 - DeMarce

HR 405 - Donovan

HR 406 - Ransdall

HR 407 - Bland

HR 408, and HR 409 - Hosmer

HR 410, and HR 411 - Barry

HR 412 - Richardson

HR 413 - Kennedy

HR 414 - McClelland

HR 415 - Patek

HR 416 - Murphy

HR 417, and HR 418 - Patek

HR 419 - Shields

HR 420 - Hagan-Harrell

HR 421 - Troupe

HR 422, and HR 423 - Dolan

HR 424 - Smith

HR 425 - Reinhart

HR 426 - Relford

HR 427 - Scheve

HR 428 - Ross

HR 429 - Pouche

HR 430, through HR 437 - Gratz

HR 438 - Wooten

HR 439 - Copeland

HR 440, and HR 441 - Hartzler (123)

HR 442 - Holand

HR 443 - Gross

HR 444 - Smith

HR 445 - Stokan

HR 446 - Chrismer

HR 447 - Luetkenhaus

HR 448 - Dolan

HR 449 - Luetkenhaus

HR 450 - Smith

HR 451, and HR 452 - Dolan

HR 453 - Ostmann

HR 454 - Scheve

HR 455 - Reinhart

HR 456 - Seigfreid

HR 457 - Kasten

HR 458 - Clayton

HR 459, and HR 460 - Monaco

HR 461, and HR 462 - Scott

HR 463, through HR 467 - Pouche

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House Journal

Second Regular Session, 89th General Assembly

FORTY-THIRD DAY, Thursday, March 26, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

O Lord, Your creation astounds us with the freshness of the spring air, the smell of growing grass and new flowers; help us, even as we toil in these enclosed walls, to appreciate the display You set before us.

Today's news is once again filled with the frailties of human nature - from greed to dishonesty, unnatural desires to natural curiosity - but again, to our utter horror, children have taken the lives of children and adult alike. O God, wrap your comforting arms around the people of Jonesboro, Arkansas, as they try to comprehend what has happened to their city and their citizens. Forgive the children who have senselessly destroyed untold numbers of lives and their own in the process.

God, in a world that seems to have gone crazy, help us... help us resolve to use our abilities, our skills, our opportunities to make this world better. And give us the courage that it takes to a make a difference. Grant us understanding, and give us peace. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Julia Miller, Gena Miller, Rebecca Vossmeyer, Laura Stude, Jackie Haar, Stacey Held, Dan Hunzeker, Brian Schaeffer, Brad Gildehaus, Melissa Laramore, Chris Clausen, Marie Williams, Larissa Miller, Casey Dabney, Andrew Oates, Darren Green, Clarissa Darnell, Valerie Huffman, Lauren Walter, Paige Cook, Emily Ellis, Timothy Runge, Rodney Valiant, Lindsey Schrader, David Ray, Daniel Yingling, Kristen Narrow, Joe Bess, Jeremy McMillian, Amanda Easter, Brad Dush, Christopher Mehan, Meghan Mehan, Kimberly Mehan, Jay Dalton, Allison Winheim, Tara Barmann and Myles L. Branch.

The Journal of the forty-second day was approved as corrected.

RESOLUTIONS

Representative Farnen offered House Resolution No. 472, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Treadway offered House Resolution No. 473, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Overschmidt offered House Resolution No. 474, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (123) offered House Resolution No. 475, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 476, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Harlan, Riback Wilson and Graham (24) offered House Resolution No. 477, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Hoppe and Kauffman offered House Resolution No. 478, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reinhart offered House Resolution No. 479 through House Resolution No. 483, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (159) offered House Resolution No. 484, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 485 through House Resolution No. 487, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sallee offered House Resolution No. 488, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Bonner and Mays (50) offered House Resolution No. 489, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 490, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Linton offered House Resolution No. 491, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Dougherty and Harlan offered House Resolution No. 492, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 493 through House Resolution No. 495, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 496, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 497, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 498 and House Resolution No. 499, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bennett offered House Resolution No. 500, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray offered House Resolution No. 501, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Green offered House Resolution No. 502, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Townley offered House Resolution No. 503, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution No. 386 through House Resolution No. 467 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution No. 386 through House Resolution No. 467 were adopted.

SECOND READING OF HOUSE BILLS

HB 1933 through **HB 1935** were read the second time.

SECOND READING OF SENATE BILLS

SS SB 518, SS SCS SB 583 & 645, SCS SB 584, SCS SB 610 & 835, SB 641, SB 746, SS SCS SB 754, SCS SB 790, SB 861, SB 884, SCS SB 897, SB 900, SB 908, SB 918, SCS SB 922, SB 925, SB 927, SB 928, SB 940, SB 941, SB 945, SB 947, SB 961, SB 963, and **SB 970** were read the second time.

RE-REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 56 - Ways and Means

REFERRAL OF HOUSE BILLS

The following House Bills was referred to the Committee indicated:

HB 1229 - Budget (Fiscal Note)

HS HCS HBs 1455 & 1463 - Budget (Fiscal Note)

HCS HBs 1681 & 1342 - Budget (Fiscal Note)

HS HB 1694 - Budget (Fiscal Note)

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1229, HS HCS HB 1323, HS HCS HBs 1455 & 1463** and **HCS HBs 1681 & 1342**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HB 1038, relating to utility merchandising practices, was taken up by Representative Carter.

Representative Hickey offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1038, Page 2, Section 386.754, Line 26, by inserting immediately after the word "entity" the following "**, domestic or foreign,**".

Speaker Gaw assumed the Chair.

On motion of Representative Hickey, House Amendment No. 1 was adopted.

Representative Hickey offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1038, Page 5, Section 386.764, Line 5, by inserting after all of said line the following:

"**3. The commission shall have full authority to ensure compliance with the requirements of sections 386.752 to 386.764, provided that the commission shall not impose, by rule or otherwise, requirements that are in addition to or inconsistent with those set forth in sections 386.752 to 386.764 or with the requirements set forth in section 386.315.**

4. Nothing in sections 386.752 to 386.764 shall be construed as modifying existing legal standards regarding which party has the burden of proof in commission proceedings.".

Representative Burton offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1

For

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1038, Page 4, Section 386.758, Line 21, by inserting after line 21 the following:

"3. The provisions of this section shall expire when the Commission adopts affiliate rules for utilities subject to this act. Within nine months of the effective date of this act, the Commission shall adopt such affiliate rules."

Representative Scheve assumed the Chair.

Representative Burton moved that House Substitute Amendment No. 1 for House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 037

Akin Ballard Bartelsmeyer Berkstresser Burton

Campbell Cooper Elliott Evans Farnen

Gaskill Gaston Gibbons Griesheimer Hall

Hartzler 123 Hegeman Hohulin Kauffman Kelley 47

Klindt Kreider Legan Lograsso Long

Marble McClelland Miller Ostmann Pouche

Reinhart Robirds Ross Shields Skaggs

Surface Wannenmacher

NOES: 115

Alter Auer Backer Barnett Barry 100

Bartlett Bauer Bennett Bland Boatright

Bonner Boucher Bray 84 Broach Carter

Champion Chrismer Cierpiot Clayton Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Enz Fitzwater Foley Ford

Foster Franklin Fritts Froelker Graham 106

Graham 24 Gratz Green Gross Gunn

Hagan-Harrell Harlan Hartzler 124 Heckemeyer Hickey

Hilgemann Holand Hollingsworth Hoppe Howerton

Johnson Kasten Kelly 27 Kennedy Kissell

Koller Lakin Lawson Levin Liese

Loudon Luetkenhaus May 108 McBride McLuckie

Merideth Monaco Murphy Murray Naeger

O'Connor O'Toole Overschmidt Parker Patek

Pryor Purgason Ransdall Relford Reynolds

Richardson Ridgeway Rizzo Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Smith Steen Stokan

Stoll Stroker Summers Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Wiggins Williams 159 Wilson Wooten Mr. Speaker

PRESENT: 002

Henderson

Linton

ABSENT WITH LEAVE: 008

Copeland Hosmer Leake Mays 50 Nordwald

Schwab Vogel Williams 121

VACANCIES: 001

On motion of Representative Hickey, House Amendment No. 2 was adopted.

Speaker Gaw resumed the Chair.

Representative Parker offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1038, Page 4, Lines 39 & 40, by deleting "separate and distinct offense", and insert in lieu thereof "violation"; and

Further amend said page, line 21, by deleting "fined", and insert in lieu thereof "subject to a civil penalty".

On motion of Representative Parker, House Amendment No. 3 was adopted.

Representative Gibbons offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1038, Page 2, Section 386.754, Line 31, by adding at the end of said line the following:

"and (6) Cooperative and mutual electric associations that produce or furnish gas or electric service.";

Further amend said bill on page 2, section 386.754, lines 34 & 35, by deleting all of said lines; and

Further amend said bill on page 3, section 386.756, lines 29-31, by deleting all of said lines; and

Further amend said bill on page 4, section 386.756, lines 36, by inserting a period after the word "section" and deleting the remainder of line 36, and all of line 37.

Representative Marble requested a division of the question.

House Amendment No. 4

PART I

AMEND House Committee Substitute for House Bill No. 1038, Page 2, Section 386.754, Line 31, by adding at the end of said line the following:

"and (6) Cooperative and mutual electric associations that produce or furnish gas or electric service.";

Further amend said bill on page 2, section 386.754, lines 34 & 35, by deleting all of said lines; and

Representative Gibbons moved that Part I of House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 019

Akin Burton Campbell Chrismer Elliott

Evans Gibbons Griesheimer Hartzler 123 Holand

Legan Lograsso Long Loudon McClelland

Ostmann Pouche Ross Surface

NOES: 121

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Carter Champion Cierpiot Clayton

Cooper Crawford Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Dougherty Edwards-Pavia

Enz Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Graham 106 Graham 24 Gratz Green

Gross Gunn Harlan Hartzler 124 Heckemeyer

Hegeman Hickey Hilgemann Hollingsworth Hoppe

Howerton Johnson Kasten Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Leake Levin Liese Luetkenhaus

Marble May 108 McBride McLuckie Merideth

Miller Monaco Murphy Murray Naeger

O'Connor O'Toole Overschmidt Parker Patek

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Robirds Sallee

Scheve Schilling Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Smith

Stokan Stoll Stroker Summers Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Wannenmacher Williams 159 Wilson Wooten

Mr. Speaker

PRESENT: 002

Hendrickson

Linton

ABSENT WITH LEAVE: 020

Bennett Copeland Crump Daniel 42 Donovan

Hagan-Harrell Hall Hohulin Hosmer Kauffman

Lawson Mays 50 Nordwald Rizzo Schwab

Skaggs Steen Vogel Wiggins Williams 121

VACANCIES: 001

House Amendment No. 4

PART II

AMEND House Committee Substitute for House Bill No. 1038, Page 3, Section 386.756, Lines 29-31, by deleting all of said lines; and

Further amend said bill on page 4, section 386.756, line 36, by inserting a period after the word "section" and deleting the remainder of line 36, and all of line 37.

Representative Gibbons moved that Part II of House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 022

Ballard Boatright Burton Cooper Elliott

Evans Gibbons Griesheimer Hartzler 123 Hohulin

Holand Kauffman Loudon Marble McClelland

Ostmann Reinhart Ridgeway Robirds Ross

Shields Surface

NOES: 115

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Bland Bonner Boucher Bray 84 Broach

Campbell Carter Champion Chrismer Cierpiot

Clayton Crawford Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Enz Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Graham 106 Graham 24 Gratz

Green Gross Gunn Harlan Heckemeyer

Hegeman Hickey Hilgemann Hollingsworth Hoppe

Howerton Johnson Kasten Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Liese Long

Luetkenhaus May 108 McBride McLuckie Merideth

Miller Monaco Murphy Murray Naeger

O'Connor O'Toole Overschmidt Parker Patek

Pryor Ransdall Relford Reynolds Richardson

Scheve Schilling Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Smith Steen Stokan

Stoll Stroker Summers Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Williams 159 Wilson Wooten Mr. Speaker

PRESENT: 002

Hendrickson

Linton

ABSENT WITH LEAVE: 023

Bennett Copeland Daniel 42 Edwards-Pavia Hagan-Harrell

Hall Hartzler 124 Hosmer Legan Levin

Lograsso Mays 50 Nordwald Pouche Purgason

Rizzo Sallee Schwab Shear Skaggs

Thompson 37 Wiggins Williams 121

VACANCIES: 001

Representative Holand offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1038, Page 3, Section 386.756, Line 7, by adding the following after the word affiliate:

"Except such utility shall be able to engage in the sale, lease, rental installation, construction, modernization, retrofit, maintenance or repair of products or equipment used by the utility in the operation of its business."

On motion of Representative Holand, House Amendment No. 5 was adopted.

Representative Wannenmacher offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1038, Page 3, Section 386.756, Line 31, by adding at the end of said line the following:

*"**10. The provisions of sections 386.752 to 386.764 shall not apply to any utility with less than 150,000 customers located in ten or more counties.**"; and*

*further amend said bill, page 3, section 386.756, line 32, by deleting the number "**10**" and inserting in lieu thereof the number "**11**"; and*

*further amend said substitute, page 4, section 386.756, line 38, by deleting the number "**11**" and inserting in lieu thereof the number "**12**".*

On motion of Representative Wannenmacher, House Amendment No. 6 was adopted by the following vote:

AYES: 089

Alter Backer Ballard Barnett Barry 100

Bartelsmeyer Berkstresser Boucher Broach Burton

Campbell Champion Cierpiot Cooper Daniels 41

Davis 122 Davis 63 Dolan Donovan Elliott

Farnen Foley Ford Fritts Froelker

Gaskill Gaston Graham 24 Gross Gunn

Hagan-Harrell Hall Hartzler 123 Hartzler 124 Hegeman

Hickey Hilgemann Hohulin Holand Hollingsworth

Hosmer Howerton Johnson Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lawson Legan Liese Lograsso

Long Luetkenhaus Marble May 108 McBride

Miller Monaco O'Connor O'Toole Patek

Pouche Pryor Purgason Reinhart Ridgeway

Robirds Ross Sallee Scheve Schilling

Seigfreid Shields Skaggs Smith Steen

Stoll Surface Thompson 72 Townley Treadway

Vogel Wannenmacher Wooten Mr. Speaker

NOES: 055

Akin Auer Bartlett Bauer Bland

Boatright Bonner Bray 84 Carter Chrismer

Clayton Crawford Crump Days DeMarce

Edwards-Pavia Enz Evans Fitzwater Foster

Franklin Gibbons Graham 106 Gratz Green

Griesheimer Harlan Hoppe Lakin Leake

Levin Loudon McClelland McLuckie Merideth

Murphy Murray Naeger Ostmann Overschmidt

Ransdall Relford Reynolds Richardson Rizzo

Secrest Sheldon 104 Shelton 57 Stokan Stroker

Thomason 163 Thompson 37 Van Zandt Williams 159 Wilson

PRESENT: 002

Hendrickson

Linton

ABSENT WITH LEAVE: 016

Bennett Copeland Daniel 42 Dougherty Heckemeyer

Kasten Mays 50 Nordwald Parker Schwab

Scott Shear Summers Troupe Wiggins

Williams 121

VACANCIES: 001

Representative Shields offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1038, Page 1, in the title, Line 3, by striking the word "seven" and inserting in lieu thereof the word "eight"; and

further amend said bill, section A, line 1, by striking the word "seven" and inserting in lieu thereof the word "eight"; and further amend said section, line 2, by inserting after the figures "386.752" a comma and the figures "386.753"; and

further amend said bill, following section 386.752, line 12, by adding a new said section as follows:

386.753. Any individual, corporation, firm, or other business entity that holds itself out to the public or is engaged in the sale, lease, rental, installation, construction, modernization, retrofit, maintenance or repair of heating, ventilating or air conditioning equipment and services or household appliances for the public, whether or not as an affiliate of a utility, shall not refuse to serve or discriminate against any customer or prospective customer based on the age of the residence, or the particular community, neighborhood, or location of any residence within the metropolitan area served by the contractor or within twenty-five miles of any office or show up for service personnel.

Representative Shields moved that House Amendment No. 7 be adopted.

Which motion was defeated.

Representative Lograsso offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 1038, Page 1, in the title, line 3, by striking the word "seven" and inserting in lieu thereof the word "six"; and

further amend said bill, section A, line 1, by striking the word "seven" and inserting in lieu thereof the word "six"; and

further amend said section, line 2, by striking the figures "386.752"; and

further amend said bill, section 386.752, by striking all of said section.

Representative Lograsso moved that House Amendment No. 8 be adopted.

Which motion was defeated.

Representative Burton offered House Amendment No. 9.

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 1038, in the title, Line 3, by inserting after the word "provisions" the following:

"and an expiration clause."

and further amend said bill, page 5, by adding at the end thereof the following:

Section B. The provisions of this act shall expire when legislation permitting entities not regulated as utilities to sell electricity at retail in the State of Missouri has been truly agreed and finally passed and has been signed by the Governor.

Representative Burton moved that House Amendment No. 9 be adopted.

Which motion was defeated.

On motion of Representative Carter, ***HCS HB 1038, as amended,*** *was adopted.*

On motion of Representative Carter, ***HCS HB 1038, as amended,*** *was ordered perfected and printed.*

THIRD READING OF HOUSE BILLS-CONSENT

HB 1859, relating to boll weevil eradication, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), HB 1859 was read the third time and passed by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foster Franklin Fritts

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Ransdall Reinhart Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 159 Wilson Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 011

Copeland Davis 63 Foley Ford Froelker

Nordwald Purgason Relford Schwab Williams 121

Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative Skaggs moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

HB 950, relating to Missouri agricultural and small business, was taken up by Representative Leake.

On motion of Representative Leake, HB 950 was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland Foley Ford Hagan-Harrell Nordwald

Schwab Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Shear, title to the bill was agreed to.

Representative Stroker moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

HB 1228, relating to business organizations, was taken up by Representative May (108).

On motion of Representative May (108), HB 1228 was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Broach Burton Carter Champion
Chrismer Cierpiot Clayton Cooper Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 012

Bray 84 Campbell Copeland Foley Ford

Hagan-Harrell Kelly 27 Legan Nordwald Schwab

Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Treadway, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

HB 1748, relating to child labor, was taken up by Representative Wannenmacher.

On motion of Representative Wannenmacher, HB 1748 was read the third time and passed by the following vote:

AYES: 152

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 159

Wilson Mr. Speaker

NOES: 001

Auer

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Foley Ford Johnson Murphy

Nordwald Schwab Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Thomason (163), title to the bill was agreed to.

Representative Riback Wilson moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

HB 996, relating to architects, was taken up by Representative Kennedy.

On motion of Representative Kennedy, HB 996 was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Griesheimer Gross Gunn
Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Scott Secrest Seigfreid
Shear Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Wannenmacher
Wiggins Williams 159 Wilson Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 012

Boucher Copeland Foley Ford Green
Hall Nordwald Richardson Schwab Vogel
Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Rizzo, title to the bill was agreed to.

Representative Koller moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

HB 1444, relating to landlord/tenant actions, was taken up by Representative May (108).

On motion of Representative May (108), HB 1444 was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Boucher Copeland Ford Hall Nordwald

Schwab Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Reynolds, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Murray moved that motion lay on the table.

The latter motion prevailed.

HB 1046, relating to governmental records, was taken up by Representative O'Toole.

On motion of Representative O'Toole, HB 1046 was read the third time and passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Williams 159 Wilson

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Boucher Copeland Foley Ford Hall

Nordwald Reynolds Schwab Wiggins Williams 121

Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative McBride moved that the vote by which the bill passed be reconsidered.

Representative Mays (50) moved that motion lay on the table.

The latter motion prevailed.

HB 1080, relating to commercial casualty insurance, was taken up by Representative Auer.

On motion of Representative Auer, HB 1080 was read the third time and passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Elliott Enz Evans
Farnen Fitzwater Foley Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Scott
Secrest Seigfreid Shear Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 159

Wilson Mr. Speaker

NOES: 003

Edwards-Pavia Kelly 27 Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 007

Copeland Ford Hall Nordwald Schwab

Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Luetkenhaus, title to the bill was agreed to.

Representative May (108) moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

HB 1410, relating to license plates for physically disabled, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, HB 1410 was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Farnen

Fitzwater Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 003

Evans Gratz Pryor

PRESENT: 000

ABSENT WITH LEAVE: 010

Boucher Copeland Foley Ford Hall

Kasten Nordwald Schwab Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

HB 1274, relating to head start programs, was taken up by Representative Farnen.

On motion of Representative Farnen, HB 1274 was read the third time and passed by the following vote:

AYES: 125

Auer Backer Barnett Barry 100 Bartelsmeyer
Bartlett Bauer Berkstresser Boatright Bonner
Boucher Bray 84 Burton Campbell Carter
Champion Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Farnen Fitzwater Foley
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gunn Hagan-Harrell Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hendrickson Hickey
Hilgemann Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Liese
Long Luetkenhaus May 108 McBride McClelland
McLuckie Merideth Monaco Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Purgason Ransdall Reinhart
Relford Reynolds Richardson Rizzo Ross
Sallee Scheve Schilling Scott Secrest
Seigfreid Shear Sheldon 104 Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wiggins Williams 159 Wilson Mr. Speaker

NOES: 027

Akin Alter Ballard Bennett Broach
Chrismer Cierpiot Cooper Edwards-Pavia Elliott
Enz Evans Gross Hegeman Hohulin
Kauffman Levin Linton Lograsso Loudon
Marble Miller Murphy Pryor Ridgeway
Robirds Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland Clayton Copeland Ford Hall
Mays 50 Nordwald Schwab Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Johnson, title to the bill was agreed to.

Representative Heckemeyer moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

HB 1556, relating to child protection system, was taken up by Representative Dougherty.

On motion of Representative Dougherty, HB 1556 was read the third time and passed by the following vote:

AYES: 139

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Clayton Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Elliott
Enz Evans Farnen Fitzwater Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hendrickson Hickey Hilgemann Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Long Loudon Luetkenhaus May 108
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Scheve Schilling Scott Secrest

Seigfreid Shear Shelton 57 Shields Skaggs

Smith Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 010

Cierpiot Crawford Edwards-Pavia Foster Gross

Hegeman Hohulin Marble Ridgeway Sheldon 104

PRESENT: 000

ABSENT WITH LEAVE: 013

Cooper Copeland Foley Ford Hall

Lograsso Mays 50 Nordwald Sallee Schwab

Steen Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hollingsworth, title to the bill was agreed to.

Representative Kelly (27) moved that the vote by which the bill passed be reconsidered.

Representative Fritts moved that motion lay on the table.

The latter motion prevailed.

HB 1272, relating to Springfield school board, was taken up by Representative Holand.

On motion of Representative Holand, HB 1272 was read the third time and passed by the following vote:

AYES: 120

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Green Gross Gunn Hartzler 123

Hartzler 124 Hegeman Hickey Hilgemann Holand

Hollingsworth Hoppe Hosmer Kasten Kelley 47

Kelly 27 Kennedy Kissell Klindt Kreider

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 McBride Merideth Miller

Murray O'Connor O'Toole Overschmidt Parker

Patek Pouche Ransdall Reinhart Relford

Richardson Rizzo Robirds Ross Sallee

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Skaggs Smith Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Vogel Wannenmacher Wiggins Wilson Mr. Speaker

NOES: 030

Boucher Bray 84 Cooper Days Fitzwater

Graham 24 Gratz Griesheimer Hagan-Harrell Harlan

Heckemeyer Hendrickson Johnson Kauffman Koller

Lakin Mays 50 McClelland McLuckie Monaco

Murphy Naeger Ostmann Pryor Purgason

Reynolds Scheve Shields Van Zandt Williams 159

PRESENT: 000

ABSENT WITH LEAVE: 012

Copeland Foley Ford Hall Hohulin

Howerton Nordwald Ridgeway Schwab Steen

Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 056

Akin Alter Ballard Bartelsmeyer Bauer

Bennett Berkstresser Bland Boatright Burton

Carter Champion Chrismer Cooper Crawford

Davis 63 Dolan Donovan Dougherty Elliott

Ford Foster Gaston Gibbons Graham 106

Griesheimer Gross Gunn Hartzler 123 Hartzler 124

Kasten Kelley 47 Klindt Legan Levin

Linton Long McBride Miller Naeger

O'Toole Reinhart Relford Richardson Robirds

Sallee Scott Secrest Seigfreid Sheldon 104

Smith Summers Surface Townley Vogel

Wannenmacher

NOES: 096

Auer Backer Barnett Barry 100 Bartlett

Bonner Boucher Bray 84 Broach Campbell

Cierpiot Clayton Crump Daniel 42 Daniels 41

Davis 122 Days DeMarce Edwards-Pavia Enz

Evans Farnen Fitzwater Franklin Fritts

Froelker Gaskill Graham 24 Gratz Green

Hagan-Harrell Harlan Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Johnson Kauffman Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Liese Lograsso Loudon Luetkenhaus

Marble May 108 Mays 50 McClelland McLuckie

Merideth Monaco Murphy Murray O'Connor

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reynolds Ridgeway

Rizzo Ross Scheve Schilling Shear

Shelton 57 Shields Skaggs Stokan Stoll

Stroker Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Wiggins Williams 159 Wilson

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Copeland Foley Hall Hohulin Howerton

Nordwald Schwab Steen Williams 121 Wooten

VACANCIES: 001

On motion of Representative Kreider, title to the bill was agreed to.

Representative Skaggs moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

HB 1103, relating to durable power of attorney, was taken up by Representative May (108).

On motion of Representative May (108), HB 1103 was read the third time and passed by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foster Franklin
Fritts Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hollingsworth Hoppe Hosmer Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wilson Mr. Speaker

NOES: 002

Froelker Holand

PRESENT: 000

ABSENT WITH LEAVE: 012

Copeland Foley Ford Hall Hohulin

Howerton Levin Nordwald Schwab Steen

Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative DeMarce, title to the bill was agreed to.

Representative Days moved that the vote by which the bill passed be reconsidered.

Representative Daniels (41) moved that motion lay on the table.

The latter motion prevailed.

HB 1201, relating to neighborhood assistance, was taken up by Representative Summers.

On motion of Representative Summers, HB 1201 was read the third time and passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Scott Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Smith Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 159

Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Copeland Foley Ford Hall Legan

Nordwald Schwab Steen Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bray, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Davis (63) moved that motion lay on the table.

The latter motion prevailed.

HB 1607, relating to local government employee's retirement, was taken up by Representative Richardson.

On motion of Representative Richardson, HB 1607 was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Scott Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wilson Mr. Speaker

NOES: 001

Johnson

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland Foley Ford Hall Nordwald
Schwab Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Franklin, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Auer moved that motion lay on the table.

The latter motion prevailed.

HB 1107, relating to compensation of trustees, was taken up by Representative May (108).

On motion of Representative May (108), HB 1107 was read the third time and passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foster Franklin
Fritts Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 159

Wilson Mr. Speaker

NOES: 001

Froelker

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Foley Ford Hall Howerton

Nordwald Schwab Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Days moved that the vote by which the bill passed be reconsidered.

Representative Daniel (42) moved that motion lay on the table.

The latter motion prevailed.

HB 1718, relating to veterans' cemeteries, was taken up by Representative Chrismer.

On motion of Representative Chrismer, HB 1718 was read the third time and passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foster Franklin

Fritts Froelker Gaskill Gaston Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 159

Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Copeland Foley Ford Gibbons Hall

Howerton Nordwald Schwab Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hagan-Harrell, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

HB 1357, relating to ketamine as a controlled substance, was taken up by Representative Broach.

On motion of Representative Broach, HB 1357 was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Scott Secrest Seigfreid Shear
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland Foley Ford Hall Nordwald

Schwab Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Graham (24), title to the bill was agreed to.

Representative Heckemeyer moved that the vote by which the bill passed be reconsidered.

Representative Hilgemann moved that motion lay on the table.

The latter motion prevailed.

HB 1090, relating to Department of Insurance, was taken up by Representative Auer.

On motion of Representative Auer, HB 1090 was read the third time and passed by the following vote:

AYES: 134

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Bonner Boucher

Broach Burton Campbell Carter Champion

Chrismer Clayton Cooper Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Evans Farnen

Fitzwater Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gunn Hagan-Harrell

Harlan Hartzler 123 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Leake Legan

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland Miller Monaco Murphy Murray

Naeger O'Connor O'Toole Ostmann Overschmidt

Parker Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Rizzo

Robirds Ross Sallee Scheve Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 159 Mr. Speaker

NOES: 019

Boatright Bray 84 Cierpiot Crawford Edwards-Pavia

Elliott Enz Gross Hartzler 124 Hosmer

Lograsso McLuckie Merideth Patek Ridgeway

Schilling Summers Surface Wilson

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Foley Ford Hall Lawson

Nordwald Schwab Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hoppe, title to the bill was agreed to.

Representative Kelly (27) moved that the vote by which the bill passed be reconsidered.

Representative Kennedy moved that motion lay on the table.

The latter motion prevailed.

HB 955, relating to school fund depositaries, was taken up by Representative Lograsso.

On motion of Representative Lograsso, HB 955 was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barry 100 Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hohulin Holand

Hollingsworth Hoppe Hosmer Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnett Bartelsmeyer Copeland Foley Ford

Hall Hilgemann Howerton Naeger Nordwald

Schwab Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bauer, title to the bill was agreed to.

Representative Barry moved that the vote by which the bill passed be reconsidered.

Representative Backer moved that motion lay on the table.

The latter motion prevailed.

HB 1113, relating to county roads, was taken up by Representative DeMarce.

On motion of Representative DeMarce, HB 1113 was read the third time and passed by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foster Franklin
Fritts Froelker Gaskill Gaston Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Holand Hollingsworth Hoppe Hosmer Howerton
Kasten Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Leake
Legan Levin Liese Linton Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Scott Secrest Seigfreid Shear Sheldon 104
Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wilson Mr. Speaker

NOES: 002

Kauffman Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 012

Copeland Foley Ford Gibbons Hall

Hohulin Johnson Lawson Nordwald Schwab

Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Harlan, title to the bill was agreed to.

Representative Hickey moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

HB 1149, relating to local sales and use taxes, was taken up by Representative Campbell.

On motion of Representative Campbell, HB 1149 was read the third time and passed by the following vote:

AYES: 135

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foster Franklin Fritts Gaskill

Gaston Graham 106 Graham 24 Green Griesheimer

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Monaco Murray O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Ransdall Relford Reynolds Richardson Ridgeway

Rizzo Ross Scheve Schilling Scott

Secrest Seigfreid Shear Shelton 57 Shields

Skaggs Smith Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 159 Wilson Mr. Speaker

NOES: 016

Ballard Boatright Froelker Gibbons Gratz

Gross Hohulin Kauffman Miller Murphy

Naeger Pryor Purgason Robirds Sheldon 104

Steen

PRESENT: 000

ABSENT WITH LEAVE: 011

Copeland Foley Ford Hall Lawson

Nordwald Reinhart Sallee Schwab Williams 121

Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hoppe, title to the bill was agreed to.

Representative Heckemeyer moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

HB 1304, relating to fourth class cities, was taken up by Representative Green.

On motion of Representative Green, HB 1304 was read the third time and passed by the following vote:

AYES: 144

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Berkstresser Bland Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foster Franklin Fritts Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Leake
Legan Levin Liese Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray O'Connor O'Toole
Ostmann Overschmidt Parker Pouche Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Robirds Ross Sallee Scheve
Schilling Scott Secrest Seigfreid Shear
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 159 Wilson Mr. Speaker

NOES: 007

Bennett Boatright Froelker Holand Linton
Naeger Pryor

PRESENT: 000

ABSENT WITH LEAVE: 011

Copeland Foley Ford Hall Lawson
Nordwald Patek Rizzo Schwab Williams 121
Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Barry, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

HB 1352, relating to planning and zoning, was taken up by Representative Rizzo.

On motion of Representative Rizzo, HB 1352 was read the third time and passed by the following vote:

AYES: 134

Akin Alter Auer Backer Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bonner Boucher Bray 84 Broach
Burton Campbell Carter Champion Clayton
Cooper Crawford Crump Daniels 41 Davis 122
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Hagan-Harrell Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kennedy Kissell Klindt Koller Kreider

Lakin Leake Levin Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 016

Ballard Bland Boatright Chrismer Daniel 42

Davis 63 Gross Gunn Hohulin Kelley 47

Kelly 27 Legan Linton Lograsso Loudon

Pryor

PRESENT: 000

ABSENT WITH LEAVE: 012

Cierpiot Copeland Foley Ford Hall

Lawson Liese Murphy Nordwald Schwab

Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Kissell moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

HB 1531, relating to personal property tax, was taken up by Representative Hoppe.

On motion of Representative Hoppe, HB 1531 was read the third time and passed by the following vote:

AYES: 142

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Chrismer
Cierpiot Clayton Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Farnen Fitzwater Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hartzler 123 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Ross Sallee Scheve Schilling Scott
Secrest Seigfreid Shear Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 159
Wilson Mr. Speaker

NOES: 006

Bland Harlan Hartzler 124 Kelly 27 Murphy
Purgason

PRESENT: 000

ABSENT WITH LEAVE: 014

Carter Champion Cooper Copeland Evans

Foley Ford Hall Linton Nordwald

Robirds Schwab Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Wiggins, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

Representative Scheve resumed the Chair.

HB 1468, relating to municipal taxation, was taken up by Representative Reynolds.

On motion of Representative Reynolds, HB 1468 was read the third time and passed by the following vote:

AYES: 135

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Crawford Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Edwards-Pavia Enz Evans

Farnen Fitzwater Foster Franklin Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Harlan

Hartzler 123 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Lograsso Long Luetkenhaus

Marble McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger O'Connor

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Robirds Ross

Sallee Scheve Schilling Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wiggins Williams 159 Wilson Mr. Speaker

NOES: 010

Boatright Dougherty Elliott Fritts Hartzler 124

Kennedy May 108 Mays 50 Murphy O'Toole

PRESENT: 001

Auer

ABSENT WITH LEAVE: 016

Cooper Copeland Crump Foley Ford

Froelker Hagan-Harrell Hall Linton Loudon

Nordwald Rizzo Schwab Wannenmacher Williams 121

Wooten

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Hosmer moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

HB 1507, relating to taxation, was taken up by Representative Bray.

On motion of Representative Bray, HB 1507 was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Sallee Scheve Schilling Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Treadway Troupe Van Zandt Vogel

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 002

Ross Townley

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 011

Cooper Copeland Foley Ford Hall

Hartzler 123 Nordwald Schwab Wannenmacher Williams 121

Wooten

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Bauer, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

HB 1734, relating to local taxation, was taken up by Representative Backer.

On motion of Representative Backer, HB 1734 was read the third time and passed by the following vote:

AYES: 143

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 124 Heckemeyer Hegeman Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Van Zandt Vogel Wiggins

Williams 159 Wilson Mr. Speaker

NOES: 004

Bauer Edwards-Pavia Hendrickson Linton

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 014

Cooper Copeland Dolan Foley Ford

Hall Hartzler 123 Nordwald Reinhart Ridgeway

Schwab Wannenmacher Williams 121 Wooten

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Bartlett moved that the vote by which the bill passed be reconsidered.

Representative Crump moved that motion lay on the table.

The latter motion prevailed.

HB 1157, relating to community service commission, was taken up by Representative McClelland.

Representative McClelland offered House Perfecting Amendment No. 1.

House Perfecting Amendment No. 1

AMEND House Bill No. 1157, Page 1, Section 26.609, Line 3 by inserting immediately before the word "annual"

the word "an".

On motion of Representative McClelland, House Perfectiing Amendment No. 1 was adopted.

On motion of Representative McClelland, HB 1157, as amended, was read the third time and passed by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Miller Monaco Murphy Murray

Naeger O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wiggins

Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Boucher Cooper Copeland Foley Ford
Hall Hartzler 123 Merideth Nordwald Purgason
Schwab Wannenmacher Williams 121 Wooten

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Hickey moved that the vote by which the bill passed be reconsidered.

Representative Mays (50) moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

HB 1419, relating to blood tests, was taken up by Representative Riback Wilson.

On motion of Representative Riback Wilson, HB 1419 was read the third time and passed by the following vote:

AYES: 138

Alter Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Carter Champion
Cierpiot Clayton Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Farnen Fitzwater Foster Franklin
Fritts Froelker Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Levin Liese Long
Loudon Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger O'Connor O'Toole

Ostmann Overschmidt Parker Pouche Purgason

Ransdall Reinhart Relford Reynolds Richardson

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wiggins

Williams 159 Wilson Mr. Speaker

NOES: 008

Akin Chrismer Evans Gaskill Linton

Lograsso Pryor Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 016

Campbell Cooper Copeland Foley Ford

Hall Hartzler 123 Hohulin Legan Marble

Nordwald Patek Schwab Wannenmacher Williams 121

Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Clayton, title to the bill was agreed to.

Representative Parker moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

HB 1802, relating to motor vehicle, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), HB 1802 was read the third time and passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Van Zandt Vogel Wiggins Williams 159

Wilson Mr. Speaker

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 014

Bennett Cooper Copeland Foley Ford

Hall Hartzler 123 Marble Nordwald Schwab

Shear Wannenmacher Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Gratz moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

HB 1586, relating to county legal representation, was taken up by Representative Hosmer.

On motion of Representative Hosmer, HB 1586 was read the third time and passed by the following vote:

AYES: 142

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Enz Evans Farnen

Fitzwater Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Robirds

Ross Sallee Scheve Schilling Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Stokan Stoll

Stroker Summers Thomason 163 Thompson 37 Thompson 72

Townley Van Zandt Vogel Wiggins Williams 159

Wilson Mr. Speaker

NOES: 006

Elliott Hohulin Murphy Steen Surface

Treadway

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 013

Cooper Copeland Foley Ford Hall

Hartzler 123 Howerton Nordwald Rizzo Schwab

Wannenmacher Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Scheve, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

HB 944, relating to county clerks, was taken up by Representative Long.

On motion of Representative Long, HB 944 was read the third time and passed by the following vote:

AYES: 124

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Carter Champion

Chrismer Cierpiot Crawford Crump Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Elliott Enz Evans Farnen

Foster Franklin Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Harlan Heckemeyer

Hegeman Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Howerton Johnson Kasten

Kauffman Kelley 47 Kennedy Kissell Klindt

Koller Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger O'Connor O'Toole Ostmann Overschmidt

Patek Pouche Pryor Purgason Reinhart

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Stoll Summers Surface Thomason 163

Thompson 37 Townley Treadway Troupe Vogel

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 024

Bennett Campbell Clayton Daniel 42 Dougherty

Edwards-Pavia Fitzwater Fritts Hartzler 124 Hendrickson

Hosmer Kelly 27 Kreider Loudon Luetkenhaus

Murphy Ransdall Relford Schilling Smith

Stokan Stroker Thompson 72 Van Zandt

PRESENT: 000

ABSENT WITH LEAVE: 014

Cooper Copeland Foley Ford Hagan-Harrell

Hall Hartzler 123 Nordwald Parker Schwab

Steen Wannenmacher Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Shelton (57), title to the bill was agreed to.

Representative Stoll moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

HB 1730, relating to operating a motor vehicle, was taken up by Representative Townley.

On motion of Representative Townley, HB 1730 was read the third time and passed by the following vote:

AYES: 140

Akin Alter Backer Ballard Barnett
Bartlett Bauer Bennett Berkstresser Bland
Boatright Bonner Boucher Bray 84 Broach
Burton Campbell Champion Cierpiot Clayton
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Griesheimer Gross Gunn
Hagan-Harrell Harlan Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Scheve
Schilling Scott Secrest Seigfreid Shear
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stoll Summers Surface Thomason 163
Thompson 37 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wiggins Williams 159 Mr. Speaker

NOES: 006

Auer Carter Kreider Stokan Stroker

Wilson

PRESENT: 000

ABSENT WITH LEAVE: 016

Barry 100 Bartelsmeyer Chrismer Cooper Copeland

Foley Ford Green Hall Hartzler 123

Nordwald Sallee Schwab Wannenmacher Williams 121

Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Davis (63), title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

HB 1293, relating to board of equalization, was taken up by Representative Pouche.

On motion of Representative Pouche, HB 1293 was read the third time and passed by the following vote:

AYES: 145

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kennedy Kissell Klindt Koller Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wiggins Williams 159 Wilson Mr. Speaker

NOES: 005

Bartelsmeyer Clayton Fitzwater Kelly 27 Kreider

PRESENT: 000

ABSENT WITH LEAVE: 012

Cooper Copeland Foley Ford Green

Hall Hartzler 123 Nordwald Schwab Wannenmacher

Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Stroker, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

HB 1158, relating to recreation districts, was taken up by Representative McClelland.

On motion of Representative McClelland, HB 1158 was read the third time and passed by the following vote:

AYES: 139

Akin Alter Auer Backer Ballard

Barnett Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Clayton Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Griesheimer Gunn

Hagan-Harrell Harlan Heckemeyer Hegeman Hickey

Hilgemann Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 007

Boatright Cierpiot Crawford Hendrickson Hohulin

Lograsso Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 016

Barry 100 Cooper Copeland Foley Ford

Green Gross Hall Hartzler 123 Hartzler 124

Kelley 47 Nordwald Schwab Wannenmacher Williams 121

Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Clayton, title to the bill was agreed to.

Representative Bray moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

HB 1705, relating to intoxicating liquor, was taken up by Representative Hoppe.

On motion of Representative Hoppe, HB 1705 was read the third time and passed by the following vote:

AYES: 142

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foster Franklin Fritts Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Harlan
Hartzler 124 Heckemeyer Hegeman Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Van Zandt Vogel Wiggins Williams 159

Wilson Mr. Speaker

NOES: 007

Boatright Crawford Froelker Hendrickson Murphy

Scott Summers

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 012

Cooper Copeland Foley Ford Hall

Hartzler 123 Mays 50 Nordwald Schwab Wannenmacher

Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Kennedy, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

HB 1480, relating to local records preservation, was taken up by Representative DeMarce.

On motion of Representative DeMarce, HB 1480 was read the third time and passed by the following vote:

AYES: 145

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Crawford Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Secrest Seigfreid Shear

Shelton 57 Skaggs Smith Steen Stokan

Stoll Stroker Summers Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wiggins Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Cooper Copeland Crump Foley Ford

Hall Hartzler 123 Murphy Nordwald Schwab

Scott Sheldon 104 Shields Surface Wannenmacher

Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Fritts, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Parker moved that motion lay on the table.

The latter motion prevailed.

HB 1267, relating to county boards, was taken up by Representative Shields.

Representative Shields moved that HB 1267 be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 065

Akin Alter Backer Ballard Barnett
Bartelsmeyer Bennett Berkstresser Boatright Broach
Burton Champion Chrismer Cierpiot Crawford
Dolan Edwards-Pavia Elliott Enz Evans
Foster Froelker Gaskill Gaston Gibbons
Graham 106 Griesheimer Gross Hartzler 124 Hegeman
Hendrickson Hohulin Holand Howerton Kasten
Kelley 47 Klindt Legan Levin Linton
Lograsso Loudon Marble Merideth Miller
Naeger Ostmann Patek Pouche Pryor
Purgason Reinhart Richardson Ridgeway Robirds
Ross Scott Secrest Sheldon 104 Shields
Steen Summers Townley Troupe Vogel

NOES: 079

Auer Barry 100 Bartlett Bauer Bland
Bonner Boucher Bray 84 Campbell Carter
Clayton Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dougherty Farnen
Fitzwater Fritts Graham 24 Gratz Green
Gunn Hagan-Harrell Harlan Heckemeyer Hickey
Hilgemann Hollingsworth Hosmer Johnson Kauffman
Kelly 27 Kennedy Kissell Koller Kreider
Lakin Lawson Leake Liese Luetkenhaus
May 108 Mays 50 McBride McClelland McLuckie
Monaco Murphy Murray O'Connor O'Toole
Overschmidt Parker Ransdall Relford Reynolds
Rizzo Sallee Scheve Schilling Seigfreid
Shelton 57 Skaggs Smith Stokan Stoll
Stroker Thomason 163 Thompson 72 Treadway Van Zandt

Wiggins Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 018

Cooper Copeland Donovan Foley Ford

Franklin Hall Hartzler 123 Hoppe Long

Nordwald Schwab Shear Surface Thompson 37

Wannenmacher Williams 121 Wooten

VACANCIES: 001

HB 1084, relating to selective service registrants, was taken up by Representative Vogel.

Representative Vogel offered House Perfecting Amendment No. 1.

House Perfecting Amendment No. 1

AMEND House Bill No. 1084, Page 1, Section 2, Line 2, by deleting the citation "50 U.S.C. App. 451" and inserting in lieu thereof the citation "50 App. U.S.C.A. 451".

On motion of Representative Vogel, House Perfecting Amendment No. 1 was adopted.

On motion of Representative Vogel, HB 1084, as amended, was read the third time and passed by the following vote:

AYES: 139

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Hagan-Harrell

Harlan Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland Merideth Miller Monaco Murphy

Murray Naeger O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Ridgeway

Rizzo Robirds Ross Sallee Scheve

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wiggins Williams 159 Mr. Speaker

NOES: 007

Gunn Hilgemann Kauffman Loudon McLuckie

Schilling Wilson

PRESENT: 000

ABSENT WITH LEAVE: 016

Cooper Copeland Donovan Foley Ford

Hall Hartzler 123 Nordwald O'Connor Richardson

Schwab Scott Surface Wannenmacher Williams 121

Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Treadway, title to the bill was agreed to.

Representative Stoll moved that the vote by which the bill passed be reconsidered.

Representative Harlan moved that motion lay on the table.

The latter motion prevailed.

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Williams (159) reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred HB 1600, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred HB 1013, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred HB 1102, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Criminal Law, to which was referred HB 1918, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred HB 1124, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Critical Issues, to which was referred HB 1643, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Critical Issues, to which was referred HB 1736, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Critical Issues, to which was referred HB 1749, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Critical Issues, to which was referred HB 1907, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Education - Elementary and Secondary, Chairman Stoll reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred SB 658, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred HB 1928, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1051 and HB 1276, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred HB 1610, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 1021, introduced by Representative Franklin, to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds therein designated for the period beginning July 1, 1998 and ending June 30, 1999.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1936, introduced by Representative Hosmer, relating to motor vehicle drivers' licenses.

HB 1937, introduced by Representative Levin, et al, relating to family and student privacy.

HB 1938, introduced by Representatives Bartlett, Troupe, Skaggs and Green, et al, relating to criminal assault.

HB 1939, introduced by Representatives Gratz and Vogel, relating to authorize the governor to convey an easement to Cole County in certain property used by the department of corrections.

HB 1940, introduced by Representative Monaco, relating to county political party committee representation.

HB 1941, introduced by Representatives Hilgemann, McLuckie and Troupe, et al, relating to businesses.

The following members' presence were noted: Nordwald and Williams (121).

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, March 30, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-Second Day, Wednesday, March 25, 1998, pages 643 and 644, roll call, by showing Representatives O'Connor and Richardson voting "aye" rather than "absent with leave".

Pages 644 and 645, roll call, by showing Representative Dolan and Levin voting "aye" rather than "absent with leave".

Pages 645 and 646, roll call, by showing Representative Stokan voting "aye" rather than "absent with leave".

Pages 646 and 647, roll call, by showing Representative Richardson voting "no" rather than "absent with leave".

Pages 647 and 648, roll call, by showing Representatives Richardson and Williams (159) voting "aye" rather than "absent with leave".

Page 649, roll call, by showing Representatives Bartelsmeyer, O'Connor and Richardson voting "aye" rather than "absent with leave".

Pages 660 and 661, roll call, by showing Representatives Franklin and Gross voting "aye" rather than "absent with leave".

Pages 663 and 664, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 664 and 665, roll call, by showing Representatives Hegeman, Hickey and O'Connor voting "aye" rather than "absent with leave".

Page 666, roll call, by showing Representatives Hickey, Hosmer and Levin voting "aye" rather than "absent with leave".

Pages 666 and 667, roll call, by showing Representatives Barry and Hickey voting "aye" rather than "absent with leave".

Pages 667 and 668, roll call, by showing Representatives Hickey and McClelland voting "aye" rather than "absent with leave".

Pages 668 and 669, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 669 and 670, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 670 and 671, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 671 and 672, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 672 and 673, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 673 and 674, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 674 and 675, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Page 676, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Page 677, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Page 678, roll call, by showing Representative Hickey and Reynolds voting "aye" rather than "absent with leave".

Page 679, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Page 680, roll call, by showing Representatives Berkstresser, Hickey and McClelland voting "aye" rather than "absent with leave".

Page 681, roll call, by showing Representatives Froelker and Hickey voting "aye" rather than "absent with leave".

Page 682, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Page 683, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Page 684, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Page 685, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Page 686, roll call, by showing Representatives Hickey and Hosmer voting "aye" rather than "absent with leave".

Page 687, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 688 and 689, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 689 and 690, roll call, by showing Representatives Hickey and Legan voting "aye" rather than "absent with leave".

Pages 690 and 691, roll call, by showing Representatives Hickey, Legan and Wilson voting "aye" rather than "absent with leave".

Pages 691 and 692, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 692 and 693, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 693 and 694, roll call, by showing Representatives Cooper, Crawford and Hickey voting "aye" rather than "absent with leave".

Pages 694 and 695, roll call, by showing Representatives Cooper, Hickey and Legan voting "aye" rather than "absent with leave".

Pages 695 and 696, roll call, by showing Representatives Cooper and Hickey voting "aye" rather than "absent with leave".

Pages 696 and 697, roll call, by showing Representatives Cooper, Hickey and Legan voting "aye" rather than "absent with leave".

Pages 697 and 698, roll call, by showing Representatives Cooper, Hickey and Kelly (27) voting "aye" rather than "absent with leave".

Pages 698 and 699, roll call, by showing Representatives Cooper and Hickey voting "aye" rather than "absent with leave".

Pages 699 and 700, roll call, by showing Representatives Cooper and Hickey voting "aye" rather than "absent with leave".

Pages 700 and 701, roll call, by showing Representatives Cooper, Hickey and Hosmer voting "aye" rather than "absent with leave".

Pages 701 and 702, roll call, by showing Representatives Bennett, Cooper and Hickey voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Monday, March 30, 1998, 10:00 am. Hearing Room 9. Possible executive

session on previously heard bills.

To be considered - HB 1020

CHILDREN, YOUTH AND FAMILIES

Tuesday, March 31, 1998, 8:00 am. Hearing Room 1 and 2. Adoption bills-

Executive Session.

To be considered - HB 1637, SB 674

CHILDREN, YOUTH AND FAMILIES

Wednesday, April 1, 1998, 7:30 pm. Hearing Room 8. Executive session to follow.

To be considered - SB 632

CRIMINAL LAW

Wednesday, April 1, 1998, 8:00 pm. Hearing Room 9. Executive session may follow.

To be considered - HB 1915, HB 1672, SB 532, SB 673

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, March 31, 1998. Hearing Room 8 upon morning adjournment.

To be considered - HB 1472, HB 1555, SB 488, SB 553

ELECTIONS

Monday, March 30, 1998, 3:00 pm. Side gallery. Executive session.

To be considered - HCR 20, SCR 36

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Monday, March 30, 1998, 10:30 am. Hearing Room 8. Discussion of 1115

Medicaid waiver proposal.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, March 30, 1998. Senate Lounge upon evening adjournment. Contested fiscal note.

To be considered - SB 981

JOINT COMMITTEE ON WETLANDS

Wednesday, April 8, 1998, 12:30 pm. Senate Committee Room 1. Big Muddy

National Fish and Wildlife Refuge presentation.U.S.Army Corps of Engineers

JUDICIARY

Tuesday, March 31, 1998. Hearing Room 5 upon morning adjournment.

AMENDED. Executive session may follow.

To be considered - HB 1719, SB 537

LABOR

Tuesday, March 31, 1998, 8:00 pm. Hearing Room 6.

To be considered - HB 1440, HB 1644

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 31, 1998, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 619

SUB-COMMITTEE ON SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Monday, March 30, 1998, 12:00 pm. Hearing Room 7.

To be considered - HB 1337

URBAN AFFAIRS

Tuesday, March 31, 1998, 8:00 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - SB 473

HOUSE CALENDAR

Forty-fourth Day, Monday, March 30, 1998

HOUSE BILLS FOR SECOND READING

HB 1936 through HB 1941

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1021 -

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1013 - Green

HOUSE BILLS FOR PERFECTION

1 HB 1070 - Barry

2 HCS HB 1636 - Hoppe

3 HCS HB 1198 - Auer

4 HCS HB 1189 - Liese

5 HCS HB 1656 - Bray

6 HCS HB 971 - Smith

7 HB 1258 - Bland

8 HCS HB 1441, 937 & 1795 - Luetkenhaus

9 HCS HB 977 & 1608 - Shelton (57)

10 HCS HB 1237, 1409, 1166, 1154 & 1491 - Luetkenhaus

11 HCS HB 1405, 1109 & 1335 - Smith

12 HCS HB 972 & 1310 - Dougherty

13 HCS HB 1799 - Stroker

14 HCS HB 1537 - Troupe

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(March 24, 1998)

1 HB 1837 - Hollingsworth

2 HB 1578 - Hilgeman

3 HB 1476 - Scheve

4 HB 1117 - Kreider

5 HB 1622 - Fritts

6 HB 948 - Long

7 HB 1627 - Green

8 HB 1834 - Stoll

9 HB 1698 - Hosmer

10 HB 1385 - Summers

11 HB 1767 - Berkstresser

12 HB 1779 - Riback Wilson

13 HB 1807 - Bartelsmeyer

14 HB 1847 - Kreider

15 HB 1862 - Crawford

16 HB 1043 - Gross

(March 25, 1998)

17 HB 1136 - Stokan

18 HB 1668 - Hosmer

(March 26, 1998)

19 HB 1905 - Kreider

(March 30, 1998)

20 HB 1907 - Lakin

21 HB 1918 - Lograsso

22 HB 1928 - Parker

23 HB 1600 - Williams (159)

24 HB 1102 - Ostmann

25 HB 1610 - Summers

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, (Budget Fiscal 3-9-98) - May (108)

2 HS HCS HB 1323 - Green

3 HB 1229, E.C. (Budget Fiscal 3-26-98) - Leake

4 HCS HB 1681 & 1342, (Budget Fiscal 3-26-98) - Koller

5 HS HCS HB 1455 & 1463, E.C. (Budget Fiscal 3-26-98) - O'Toole

6 HS HCS HB 1434 - Thomason (163)

7 HS HB 1694, (Budget Fiscal 3-26-98) - Farnen

8 HB 1322 - Foley

9 HCS HB 1526 - May (108)

10 HCS HB 1143, E.C. - Mays (50)

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1216, E.C. - Monaco

2 HB 986 - Backer

3 HB 1869 - Wiggins

4 HB 1066 - Clayton

5 HB 1805 - Chrismer

6 HB 1747 - Ostmann

7 HB 1880 - Hickey

8 HB 1145 - Lakin

9 HB 1571 - Monaco

10 HB 1596 - Leake

11 HB 1791, E.C. - Clayton

12 HB 1528 - Smith

13 HB 1744 - Akin

SENATE BILLS FOR THIRD READING - CONSENT

(March 25, 1998)

SCS SB 707 & 484 - Scheve

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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

FORTY-FOURTH DAY, Monday, March 30, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"We are members one of another." (Eph. 4:25).

On Saturday, some of us from this body and the Senate attended a most unusual conference at Lincoln University. A Conference on Justice addressed the question of crime and punishment. Participants included the mothers of two men on death row, a highway patrolman, a judge who is a former prosecutor, the head of the department of corrections, and religious groups, representing the most diverse elements of our state from every point of view. I marveled at how they could come together in the same room.

Gracious God, how easy it is for us to talk about or past the other, which is why we do it so often. Help me this day to find some activity or difficulty in my life, or perhaps in my work in this chamber, which will push me toward a more inclusive and healing process to deal with some issues. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kelly Meagher and Deani Perkins.

The Journal of the forty-third day was approved as corrected.

RESOLUTIONS

Representative Hendrickson offered House Resolution No. 504 through House Resolution No. 517, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 518 through House Resolution No. 530, which were

referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution No. 531 through House Resolution No. 544, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 545 through House Resolution No. 551, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution No. 552 through House Resolution No. 565, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Enz and Murphy offered House Resolution No. 566 through House Resolution No. 579, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution No. 580 through House Resolution No. 596, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Hendrickson and Enz offered House Resolution No. 597 through House Resolution No. 610, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution No. 611 through House Resolution No. 641, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Dolan offered House Resolution No. 642, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 643, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Luetkenhaus offered House Resolution No. 644 and House Resolution No. 645, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution No. 646.

Representative Gaw offered House Resolution No. 647 through House Resolution No. 649, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Miller offered House Resolution No. 650, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lawson offered House Resolution No. 651, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Purgason offered House Resolution No. 652 through House Resolution No. 663, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Robirds offered House Resolution No. 664, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1936 through **HB 1941** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 1021 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1014**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1038, HCS HB 1143, HB 1322, HS HCS HB 1434, HCS HB 1526** and **HS HB 1694**, begs leave to report it has

examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL - INFORMAL CALENDAR

HB 995, relating to high occupancy vehicle lanes, was taken up and placed back on the Informal Calendar.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1216, relating to reinstatement of corporations, was taken up by Representative Monaco.

On motion of Representative Monaco, HB 1216 was read the third time and passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Dougherty Edwards-Pavia Hoppe Shear Stokan

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Akin Alter Auer Backer Barnett

Barry 100 Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hollingsworth Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus May 108 Mays 50

McBride McClelland McLuckie Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pryor Ransdall Relford Reynolds Richardson

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 016

Ballard Bartelsmeyer Boatright Chrismer Froelker

Gross Hall Hohulin Holand Klindt

Lograsso Marble Merideth Pouche Purgason

Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 005

Dougherty Edwards-Pavia Hoppe Reinhart Shear

VACANCIES: 001

On motion of Representative Auer, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative DeMarce moved that motion lay on the table.

The latter motion prevailed.

HB 986, relating to public records, was taken up by Representative Backer.

On motion of Representative Backer, HB 986 was read the third time and passed by the following vote:

AYES: 158

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Dougherty Edwards-Pavia Hoppe Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Bauer, title to the bill was agreed to.

Representative Bartlett moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

HB 1869, relating to soil and water conservation districts, was taken up by Representative Wiggins.

On motion of Representative Wiggins, HB 1869 was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Sheldon 104
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ballard Dougherty Edwards-Pavia Hoppe Lograsso
Pryor Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

HB 1066, relating to uniform commercial code, was taken up by Representative Clayton.

On motion of Representative Clayton, HB 1066 was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 005

Dougherty Edwards-Pavia Hoppe Shear Steen

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Daniels (41) moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

HB 1805, relating to conveyance of property in St. Charles County, was taken up by Representative Chrismer.

On motion of Representative Chrismer, HB 1805 was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Lograsso Long

Loudon Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Boatright Dougherty Edwards-Pavia Hoppe Linton

Marble Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Seigfreid, title to the bill was agreed to.

Representative Shelton (57) moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

HB 1747, relating to conveyance of property in St. Charles County, was taken up by Representative Ostmann.

On motion of Representative Ostmann, HB 1747 was read the third time and passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Champion Dougherty Edwards-Pavia Hoppe Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Elliott Enz Evans

Farnen Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Holand Hollingsworth Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Miller Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 008

Hall Hohulin Lograsso Merideth Monaco

Pryor Ridgeway Steen

PRESENT: 000

ABSENT WITH LEAVE: 005

Dougherty Edwards-Pavia Fitzwater Hoppe Shear

VACANCIES: 001

On motion of Representative Koller, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Luetkenhaus moved that motion lay on the table.

The latter motion prevailed.

HB 1880, relating to air bags, was taken up by Representative Hickey.

On motion of Representative Hickey, HB 1880 was read the third time and passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hickey Hilgemann Hohulin

Holand Hollingsworth Howerton Johnson Kasten

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 005

Bauer Hendrickson Hosmer Kauffman Murphy

PRESENT: 000

ABSENT WITH LEAVE: 006

Broach Dougherty Edwards-Pavia Graham 106 Hoppe

Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Graham (24), title to the bill was agreed to.

Representative Gratz moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

HB 1145, relating to publication of legal notices, was taken up by Representative Lakin.

On motion of Representative Lakin, HB 1145 was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Dougherty Edwards-Pavia Hoppe Murphy Shear
Vogel

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Parker moved that motion lay on the table.

The latter motion prevailed.

HB 1571, relating to fiduciaries, was taken up by Representative Monaco.

On motion of Representative Monaco, HB 1571 was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Sheldon 104

PRESENT: 000

ABSENT WITH LEAVE: 006

Dougherty Edwards-Pavia Hoppe Liese Shear

Vogel

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

HB 1596, relating to highway corridor preservation, was taken up by Representative Leake.

On motion of Representative Leake, HB 1596 was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Barry 100 Dougherty Edwards-Pavia Hoppe Shear

Vogel

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Gunn, title to the bill was agreed to.

Representative Hagan-Harrell moved that the vote by which the bill passed be reconsidered.

Representative Kennedy moved that motion lay on the table.

The latter motion prevailed.

HB 1791, relating to Mid-America Port Commission, was taken up by Representative Clayton.

On motion of Representative Clayton, HB 1791 was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 005

Dougherty Edwards-Pavia Hoppe Shear Vogel

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Akin Alter Auer Backer Ballard

Barry 100 Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hickey Hilgemann

Holand Hollingsworth Hosmer Johnson Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 017

Barnett Bartelsmeyer Boatright Chrismer Froelker

Hall Hendrickson Hohulin Howerton Linton

Lograsso Loudon Merideth Pryor Purgason

Ridgeway Steen

PRESENT: 000

ABSENT WITH LEAVE: 008

Cierpiot Dougherty Edwards-Pavia Hoppe Kasten

Murphy Shear Vogel

VACANCIES: 001

On motion of Representative O'Connor, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

HB 1528, relating to sheriff's charges, was taken up by Representative Smith.

On motion of Representative Smith, HB 1528 was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer Dougherty Edwards-Pavia Hoppe Kelly 27

Shear Vogel

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative May (108), title to the bill was agreed to.

Representative Williams (121) moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

HB 1744, relating to tax exempt Roth IRAs, was taken up by Representative Akin.

Representative Akin offered House Perfecting Amendment No. 1.

House Perfecting Amendment No. 1

AMEND House Bill No. 1744, Pages 2 and 3, Section 513.430, Lines 48, 49 and 50, by deleting said lines and inserting in lieu thereof the following:

"c. Such plan or contract does not qualify under section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of [1954] 1986, as amended, (26 USC 401(a), 403(a), 403(b), 408, 408A or 409); except that any such payment to any person shall be"; and

Further amend said bill, page 3, section 513.430, line 59 by inserting after the number "408" the number ", 408A"; and

Further amend said bill, page 3, section 513.430, lines 59 and 60 by deleting the words "or section 408A of the Taxpayer Relief Act of 1997".

On motion of Representative Akin, House Perfecting Amendment No. 1 was adopted.

On motion of Representative Akin, HB 1744, as amended, was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hosmer Howerton Johnson Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Dougherty Edwards-Pavia Hoppe Kasten Shear

Vogel

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Thomason (163), title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HB 1070, relating to insurance coverage for mastectomy, was taken up by Representative Barry.

Representative Barry offered HS HB 1070.

Representative Auer raised a point of order that the House Substitute is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Hollingsworth offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1070, Page 6, Section 376.1209, Lines 15 and 16, by deleting all of said lines and inserting in lieu thereof the following: "for a forty-eight-hour stay in the hospital immediately following a mastectomy or a shorter hospital stay that meets with the approval of the attending physician after consulting with the patient, and prosthetic devices or reconstructive"; and

Further amend said bill, Page 6, Section 376.1209, Lines 19, 20 and 21, by deleting all of said lines and inserting in lieu thereof the following: "the mastectomy, including a seventy-two-hour stay in the hospital or a shorter hospital stay that meets with the approval of the attending physician after consulting with the patient following immediate or concurrent reconstructive surgery. Coverage for prosthetic devices and reconstructive".

On motion of Representative Hollingsworth, House Amendment No. 1 was adopted.

Representative Elliott offered House Amendment No. 2.

Representative Auer raised a point of order that House Amendment No. 2 is not germane to the bill.

The Chair ruled the point of order well taken.

Speaker Gaw assumed the Chair.

On motion of Representative Barry, HS HB 1070, as amended, was adopted.

On motion of Representative Barry, HS HB 1070, as amended, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1021 - Budget

HCS HB 1038 - Budget (Fiscal Note)

HB 1895 - Agri-Business

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 470 - Civil and Administrative Law

SB 487 - Transportation

SCS SB 489 - Ways and Means

SB 517 - Local Government and Related Matters

SB 558 - Ways and Means

SCS SB 561 - Utilities Regulation

SCS SB 571 - Governmental Organization and Review

SS SCS SB 596 - Agriculture

SCS SB 625 - Local Government and Related Matters

SB 629 - Municipal Corporations

SCS SB 634 - Criminal Law

SB 642 - Governmental Organization and Review

SCS SB 649 - Motor Vehicle and Traffic Regulations

SB 650 - Professional Registration and Licensing

SS SB 657 - Judiciary

SB 661 - Commerce

SB 719 - Banks and Financial Institutions

SCS SB 722 - Insurance

SS SB 724 - Ways and Means

SCS SB 753 - Education - Elementary and Secondary

SB 761 - Retirement

SB 764 - Civil and Administrative Law

SB 786 - Civil and Administrative Law

SB 787 - Commerce

SB 793 - Social Services, Medicaid and the Elderly

SB 809 - Local Government and Related Matters

SCS SB 820 - Tourism, Recreation and Cultural Affairs

SB 827 - Commerce

SB 828 - Commerce

SB 829 - Commerce

SB 839 - Workers Compensation and Employment Security

SB 842 - Correctional and State Institutions

SB 854 - Professional Registration and Licensing

SB 870 - Critical Issues

SB 883 - Transportation

RE-REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 642 - Miscellaneous Bills and Resolutions

COMMITTEE REPORTS

Committee on Correctional and State Institutions, Chairman Crump reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred HB 1891, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Education - Elementary and Secondary, Chairman Stoll reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred HB 1265, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Elections, Chairman Days reporting:

Mr. Speaker: Your Committee on Elections, to which was referred HCR 20, begs leave to report it has examined the same and recommends that it Do Pass.

House Concurrent Resolution No. 20

WHEREAS, the smiling Irish eyes of James "Jimmy" C. Kirkpatrick graced the Secretary of State's office for twenty years, an achievement that bestowed on him the singular honor of having served the citizens of Missouri in statewide office longer than any other office holder in Missouri history; and

WHEREAS, those smiling Irish eyes of James C. Kirkpatrick stole away the hearts of more than 8.4 million Missouri voters during his career, a record unparalleled by any other Missouri officeholder; and

WHEREAS, throughout his career in public office, James C. Kirkpatrick wore the badges of honor, integrity, and character as nobly and proudly as he wore the Irish green, exemplifying what a special opportunity and privilege public service can be when it is conducted in a context of mutual respect between the officeholder and the citizens represented; and

WHEREAS, as Secretary of State, James C. Kirkpatrick performed the duties of his high office in an innovative, efficient, effective, and responsible manner that maintained public trust and confidence and emphasized fair service to all citizens; and

WHEREAS, the strong leadership of James C. Kirkpatrick extended not only to government, but to education, business, politics, and the media as well in his continual efforts to improve the quality of life for all Missourians; and

WHEREAS, James C. Kirkpatrick earned the title of Missouri's senior statesman by dedicating his life to the service of others with an enthusiasm for life and a genuine concern for his fellow citizens that elicited the admiration and respect of every Missouri citizen; and

WHEREAS, throughout his life, James C. Kirkpatrick shared his knowledge and wisdom as a mentor to countless government officials and students interested in learning more about government; and

WHEREAS, because of his outstanding public service, both in and out of elective office, James C. Kirkpatrick will be forever known as one of Missouri's most beloved public figures; and

WHEREAS, James C. Kirkpatrick's unprecedented admiration for and dedication to the people of Missouri flowed as freely as his green ink; and

WHEREAS, for 92 years, the world seemed bright and gay because the happy Irish heart of James C. Kirkpatrick opened its great humanity to every person he met; and

WHEREAS, during his glorious tenure as Secretary of State, James C. Kirkpatrick established Missouri's first Records Management and Archives Service; and

WHEREAS, in 1991, the Missouri State Information Center was constructed to house that and the other divisions of the Missouri Secretary of State's office that James C. Kirkpatrick administered so magnificently:

NOW, THEREFORE, BE IT RESOLVED that in tribute and respect to the legacy and service that Missouri's most famous Irishman, James C. Kirkpatrick, provided to the citizens of Missouri throughout his life, the members of the Missouri House of Representatives of the Eighty-ninth General Assembly, Second Regular Session, the Senate concurring therein, hereby declare the Missouri State Information Center shall hereinafter be known as the James C. Kirkpatrick State Information Center; and

BE IT FURTHER RESOLVED that the Office of Administration shall be instructed to make appropriate changes to all printed material and signage to reflect this action in commemoration of this great Missourian; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Office of Administration and the Secretary of State's Office.

COMMITTEE CHANGES

The Speaker submitted the following committee changes:

Representative Gunn is no longer a member of the Critical Issues Committee.

Representative Carter has been appointed a member of the Critical Issues Committee.

Representative O'Toole has been appointed a member of the Judiciary Committee.

Representative Boucher has been appointed a member of the Consumer Protection Committee.

Representative Kelly (27) has been appointed a member of the Civil and Administrative Law Committee.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1942, introduced by Representatives Stokan, Alter and Hosmer, relating to assault in the third degree.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 604, entitled:

An act to repeal sections 142.230 and 142.584, RSMo 1994, relating to motor fuel tax refunds, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 683, entitled:

An act to amend chapter 301, RSMo, by adding thereto one new section relating to motor vehicle license plates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 743, entitled:

An act to repeal sections 44.010, 44.020, 44.022, 44.024, 44.028, 44.032, 44.080, 44.090, 44.100, 44.110, 44.112 and 44.113, RSMo 1994, relating to the emergency management agency, and to enact in lieu thereof thirteen new sections for the purpose of changing the organizational structure of the agency.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 849, entitled:

An act to amend chapter 137, RSMo, by adding thereto eleven new sections relating to ad valorem taxation of freight line companies, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 936, entitled:

An act to amend chapter 144, RSMo, by adding thereto one new section relating to sales tax exemptions for certain newspaper equipment.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, March 31, 1998.

CORRECTIONS TO HOUSE JOURNAL

Correct House Journal, Forty-Third Day, Thursday, March 26, 1998, pages 716 and 717, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 718 and 719, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 718 and 719, roll call, by showing Representative Bennett voting "no" rather than "absent with leave".

Pages 719 and 720, roll call, by showing Representatives Hosmer and Pouche voting "aye" rather than "absent with leave".

Pages 719 and 720, roll call, by showing Representatives Bennett, Hartzler (124), Legan and Levin voting "no" rather than "absent with leave".

Pages 720 and 721, roll call, by showing Representative Parker voting "aye" rather than "absent with leave".

Pages 720 and 721, roll call, by showing Representatives Bennett and Summers voting "aye" rather than "absent with leave".

Pages 722 and 723, roll call, by showing Representative Davis (63) voting "aye" rather than "no".

Pages 722 and 723, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 724 and 725, roll call, by showing Representatives Campbell, Kelly (27) and Legan voting "aye" rather than "absent with leave".

Pages 726 and 727, roll call, by showing Representative Richardson voting "aye" rather than "absent with leave".

Pages 728 and 729, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Page 732, roll call, by showing Representative Enz voting "aye" rather than "no".

Page 732, roll call, by showing Representative Mays (50) voting "aye" rather than "absent with leave".

Pages 733, roll call, by showing Representative Mays (50) voting "aye" rather than "absent with leave".

Page 734, roll call, by showing Representative Howerton voting "aye" rather than "absent with leave".

Pages 734 and 735, roll call, by showing Representative Howerton voting "aye" rather than "absent with leave".

Pages 735 and 736, roll call, by showing Representatives Howerton and Levin voting "aye" rather than "absent with leave".

Pages 736 and 737, roll call, by showing Representative Legan voting "aye" rather than "absent with leave".

Pages 738 and 739, roll call, by showing Representative Howerton voting "aye" rather than "absent with leave".

Pages 739 and 740, roll call, by showing Representatives Gibbons and Howerton voting "aye" rather than "absent with leave".

Pages 741 and 742, roll call, by showing Representative Lawson voting "aye" rather than "absent with leave".

Pages 742 and 743, roll call, by showing Representatives Barnett, Bartelsmeyer, Howerton and Naeger voting "aye" rather than "absent with leave".

Pages 743 and 744, roll call, by showing Representatives Gibbons, Johnson and Lawson voting "aye" rather than "absent with leave".

Pages 744 and 745, roll call, by showing Representative Lawson voting "aye" rather than "absent with leave".

Pages 745 and 746, roll call, by showing Representatives Lawson and Patek voting "aye" rather than "absent with leave".

Page 748, roll call, by showing Representatives Champion and Robirds voting "aye" rather than "absent with leave".

Page 749, roll call, by showing Representative Loudon voting "aye" rather than "absent with leave".

Page 751, roll call, by showing Representative Reinhart voting "aye" rather than "absent with leave".

Pages 752 and 753, roll call, by showing Representative Merideth voting "aye" rather than "absent with leave".

Pages 753 and 754, roll call, by showing Representatives Campbell, Legan and Patek voting "aye" rather than "absent with leave".

Pages 754 and 755, roll call, by showing Representative Bennett voting "aye" rather than "absent with leave".

Pages 755 and 756, roll call, by showing Representative Howerton voting "aye" rather than "absent with leave".

Pages 756 and 757, roll call, by showing Representative Parker voting "aye" rather than "absent with leave".

Pages 757 and 758, roll call, by showing Representative Bartelsmeyer and Chrismer voting "aye" rather than "absent with leave".

Pages 759 and 760, roll call, by showing Representatives Gross and Kelley (47) voting "aye" rather than "absent with leave".

Pages 761 and 762, roll call, by showing Representatives Shields and Surface voting "aye" rather than "absent with leave".

Pages 762 and 763, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 763 and 764, roll call, by showing Representatives O'Connor, Richardson and Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Tuesday, March 31, 1998, 8:30 am. Hearing Room 9. Possible executive session

on previously heard bills.

To be considered - HB 1694, HB 1681, HB 1229, HB 1455

BUDGET

Wednesday, April 1, 1998, 8:30 am. Hearing Room 9. Possible executive

session on previously heard bills.

To be considered - HB 1020

CHILDREN, YOUTH AND FAMILIES

Tuesday, March 31, 1998, 8:00 am. Hearing Room 1 and 2. Adoption bills-

Executive Session.

To be considered - HB 1637, SB 674

CHILDREN, YOUTH AND FAMILIES

Wednesday, April 1, 1998, 7:30 pm. Hearing Room 8. Executive session to follow.

To be considered - SB 632

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 1, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session to follow.

To be considered - SB 470, SB 764, SB 786

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, March 31, 1998, 8:00 pm. Hearing Room 9. Executive session.

To be considered - HB 1889, HB 1913, SB 579, SB 842

CRIMINAL LAW

Wednesday, April 1, 1998, 8:00 pm. Hearing Room 9. Executive session may follow.

To be considered - HB 1915, HB 1672, SB 532, SB 673

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, March 31, 1998. Hearing Room 8 upon morning adjournment.

To be considered - HB 1472, HB 1555, SB 488, SB 553

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, April 1, 1998, 8:30 am. Hearing Room 8.

To be considered - HJR 53, HB 1898, HB 1927, SB 571

JOINT COMMITTEE ON WETLANDS

Wednesday, April 8, 1998, 12:30 pm. Senate Committee Room 1. Big Muddy National Fish and Wildlife Refuge presentation.U.S.Army Corps of Engineers

JUDICIARY

Tuesday, March 31, 1998. Hearing Room 5 upon morning adjournment.

AMENDED. Executive session may follow.

To be considered - HB 1719, SB 537

LABOR

Tuesday, March 31, 1998, 8:00 pm. Hearing Room 6.

To be considered - HB 1440, HB 1644

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 31, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session may follow.

To be considered - SB 550, SB 597, SB 676, SB 778, SB 832

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 1, 1998. Hearing Room 3 and 4 upon morning adjournment.

To be considered - HR 325, HJR 54, HCR 12, SB 615, Executive Session -

HB 1803, Executive Session - HR 325

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 31, 1998, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 619

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, April 1, 1998, 8:00 pm. Hearing Room 5.

To be considered - SB 650, SB 732, SB 854

PROFESSIONAL REGISTRATION & LICENSING

Thursday, April 2, 1998, 9:15 am. Room 401. Executive session.

RETIREMENT

Wednesday, April 1, 1998, 6:30 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 501

TRANSPORTATION

Wednesday, April 1, 1998, 1:00 pm. Hearing Room 5. Executive session to follow.

To be considered - HB 1922, SB 487, SB 883

URBAN AFFAIRS

Tuesday, March 31, 1998. Hearing Room 1 and 2 immediately upon evening adjournment.

Executive session may follow. AMENDED

To be considered - SB 473

WAYS AND MEANS

Tuesday, March 31, 1998, 1:00 pm. Hearing Room 6. Executive session may follow.

To be considered - HB 1401, HB 1818, HB 1819, HB 1839

HOUSE CALENDAR

Forty-fifth Day, Tuesday, March 31, 1998

HOUSE BILL FOR SECOND READING

HB 1942

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1013 - Green

HOUSE BILLS FOR PERFECTION

1 HCS HB 1636 - Hoppe

2 HCS HB 1198 - Auer

3 HCS HB 1189 - Liese

4 HCS HB 1656 - Bray

5 HCS HB 971 - Smith

6 HB 1258 - Bland

7 HCS HB 1441, 937 & 1795 - Luetkenhaus

8 HCS HB 977 & 1608 - Shelton (57)

9 HCS HB 1237, 1409, 1166, 1154 & 1491 - Luetkenhaus

10 HCS HB 1405, 1109 & 1335 - Smith

11 HCS HB 972 & 1310 - Dougherty

12 HCS HB 1799 - Stroker

13 HCS HB 1537 - Troupe

14 HCS HB 1317 - Fritts

15 HB 1876 - Leake

16 HCS HB 1510 - Campbell

17 HB 1126, HCA 1 - Thomason (163)

18 HCS HB 1265 - Kreider

19 HB 893, HCA 1 - Backer

20 HCS HB 1674 - Rizzo

21 HB 1564 - Relford

22 HCS HB 1737 & 1345 - Riback Wilson

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(March 24, 1998)

1 HB 1837 - Hollingsworth

2 HB 1578 - Hilgemann

3 HB 1476 - Scheve

4 HB 1117 - Kreider

5 HB 1622 - Fritts

6 HB 948 - Long

7 HB 1627 - Green

8 HB 1834 - Stoll

9 HB 1698 - Hosmer

10 HB 1385 - Summers

11 HB 1767 - Berkstresser

12 HB 1779 - Riback Wilson

13 HB 1807 - Bartelsmeyer

14 HB 1847 - Kreider

15 HB 1862 - Crawford

16 HB 1043 - Gross

(March 25, 1998)

17 HB 1136 - Stokan

18 HB 1668 - Hosmer

(March 26, 1998)

19 HB 1905 - Kreider

(March 30, 1998)

20 HB 1907 - Lakin

21 HB 1918 - Lograsso

22 HB 1928 - Parker

23 HB 1600 - Williams (159)

24 HB 1102 - Ostmann

25 HB 1610 - Summers

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, (Budget Fiscal 3-9-98) - May (108)

2 HS HCS HB 1323 - Green

3 HB 1229, E.C. (Budget Fiscal 3-26-98) - Leake

4 HCS HB 1681 & 1342, (Budget Fiscal 3-26-98) - Koller

5 HS HCS HB 1455 & 1463, E.C. (Budget Fiscal 3-26-98) - O'Toole

6 HS HCS HB 1434 - Thomason (163)

7 HS HB 1694, (Budget Fiscal 3-26-98) - Farnen

8 HB 1322 - Foley

9 HCS HB 1526 - May (108)

10 HCS HB 1143, E.C. - Mays (50)

11 HCS HB 1038, (Budget Fiscal 3-30-98) - Carter

SENATE BILLS FOR SECOND READING

1 SCS SB 604

2 SB 683

3 SB 743

4 SCS SB 849

5 SB 936

SENATE BILL FOR THIRD READING - CONSENT

(March 25, 1998)

SCS SB 707 & 484 - Scheve

HOUSE CONCURRENT RESOLUTIONS

HCR 13, (March 11, 1998, pgs. 548 & 549) - Graham

HCR 20, (March 30, 1998) - Williams (121)

HCR 8, (March 5, 1998, pgs. 467 & 468) - Green

HCR 9, (March 5, 1998, pgs. 468 & 469) - Stoll

HOUSE RESOLUTIONS

HR 117, (March 5, 1998, pgs. 461 & 462) - Farnen

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

FORTY-FIFTH DAY, Tuesday, March 31, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

It's difficult, O God, as we read through the papers, not to be assaulted by all of the trauma and disaster prevalent there - tornadoes that whip through towns taking lives and destroying property; executions and murders; battles and debates over everything from seat belts to tobacco growers rights. There are even people who feel that our government is interfering far too much in the business of private citizens.

As these legislators go about the business of this house, give them the courage to see the good in what they are doing. Let them have the integrity to develop ideas and policies that speak to the needs of the people of Missouri in the most beneficial way. Remind them that there are boundaries that need to be broken down but that there are also boundaries that should be respected and not crossed.

God of all that is, was and ever shall be, let us give ourselves to You this day so that whatever we do and say, we sense Your presence guiding us. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Christina Thomure, Wendy Wildberger, Jennifer Froelker, Meagan Reeves, Julie Coleman, Josh Klipsch, Tim Power, Mike Warzel, James Lafikes, Craig Dudenhoeffer, Christopher Krummey, MacArthur Bennett, Charlie Merrell, Carl Lucas, Ebonee Calvin, Sheree Black, Jocelyn Hearn, Ashley Cropp, Lindsey Suehs, Saxon Cole, Ryan Dierker, Elizabeth Reba Raydene Clubine, Dawna Kelley, Ann Hurst, Krystal Bradford, Kelly Bajier, Alex Apter, Ryan Lowry, Justin Collins, Michael Canellas, Libby Piel, Kennisha Robinson, Casey Abington, Stephanie Harris, Lisa J. Wehner, Amanda Moore, Jennifer Foltz, McKenzie Maggard, Angela O'Quinn, Teri Norton, Teresa Creel, Tim Perkins, Lori Dyer and Rob Dyer.

The Journal of the forty-fourth day was approved as corrected.

RESOLUTIONS

Representative Sallee offered House Resolution No. 665, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Elliott, Burton and Surface offered House Resolution No. 666, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Elliott offered House Resolution No. 667, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Surface offered House Resolution No. 668, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Holand offered House Resolution No. 669, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Monaco offered House Resolution No. 670 and House Resolution No. 671, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 672 through House Resolution No. 682, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 683, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 684.

Representative Ballard offered House Resolution No. 685, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 686, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILL

HB 1942 was read the second time.

SECOND READING OF SENATE BILLS

SCS SB 604, SB 683, SB 743, SCS SB 849 and **SB 936** were read the second time.

HOUSE CONCURRENT RESOLUTIONS

HCR 20, relating to state information center, was taken up by Representative Williams (121).

On motion of Representative Williams (121), **HCR 20** was adopted.

HCR 8, relating to Harry S Truman Tribute Commission, was taken up by Representative Green.

On motion of Representative Green, **HCR 8** was adopted.

HCR 9, relating to veterans memorial highway, was taken up by Representative Stoll.

On motion of Representative Stoll, **HCR 9** was adopted.

HCR 13, relating to remonstration of Arkansas highway, was taken up by Representative Graham (24).

Representative Graham (24) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Concurrent Resolution No. 13, Lines 31 and 32, by striking the words "and Lori Benedict, an Arkansas State Representative"; and

further amend said resolution by adding the word "**and**" after the word "Missouri;" on line 30; and

further amend said resolution by deleting the numeral "12" and inserting in lieu thereof the numeral "14" on line 11.

On motion of Representative Graham (24), House Amendment No. 1 was adopted.

Representative Graham (24) moved that **HCR 13, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 043

Auer Backer Bartlett Bauer Bland

Bray 84 Crump Davis 63 DeMarce Farnen

Foley Ford Franklin Graham 24 Green

Harlan Hickey Johnson Koller Kreider

Lakin May 108 McLuckie Monaco Murray

O'Toole Overschmidt Purgason Rizzo Scheve

Schilling Scott Seigfreid Sheldon 104 Shelton 57

Smith Stoll Thomason 163 Thompson 37 Troupe

Williams 121 Wilson Mr. Speaker

NOES: 108

Akin Alter Ballard Barnett Barry 100

Bartelsmeyer Bennett Berkstresser Boatright Bonner

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Daniel 42 Daniels 41 Davis 122 Days

Donovan Elliott Enz Evans Foster

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Gratz Griesheimer Gross Gunn

Hagan-Harrell Hall Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hilgemann Hohulin Holand

Hoppe Howerton Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

Mays 50 McBride McClelland Merideth Miller

Murphy Naeger O'Connor Ostmann Parker

Patek Pouche Pryor Ransdall Reinhart

Relford Reynolds Robirds Ross Sallee

Schwab Secrest Shields Skaggs Steen

Stokan Stroker Summers Surface Thompson 72

Townley Treadway Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wooten

PRESENT: 000

ABSENT WITH LEAVE: 011

Boucher Dolan Dougherty Edwards-Pavia Fitzwater

Hollingsworth Hosmer Nordwald Richardson Ridgeway

Shear

VACANCIES: 001

HOUSE RESOLUTIONS

HR 117, with House Committee Amendment No. 1, relating to higher education, was taken up by Representative Farnen.

On motion of Representative Farnen, House Committee Amendment No. 1 was adopted.

On motion of Representative Farnen, **HR 117, as amended**, was adopted.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 1013, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1013** was adopted.

On motion of Representative Green, **HCS HB 1013** was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HB 1636, relating to community improvement districts, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS HB 1636**.

Representative Scheve assumed the Chair.

Representative Troupe offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1636, Page 6, Section 2, Line 4, by inserting after all of said line the following:

"**6. Notwithstanding any other provision of this section or of sections 1 to 18 of this act, in any city not within a county, the board of aldermen may establish up to seven districts in such city not within a county. The boundaries of each district shall be determined by the board of aldermen, shall be contiguous and shall be comprised of four wards of such city not within a county.**".

On motion of Representative Troupe, House Amendment No. 1 was adopted by the following vote:

AYES: 093

Akin Alter Auer Backer Ballard

Barnett Bartlett Bland Boatright Bonner

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Crawford Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Froelker Graham 106 Graham 24

Green Gross Gunn Hagan-Harrell Harlan

Hartzler 124 Heckemeyer Hegeman Hollingsworth Howerton

Kasten Kauffman Kelly 27 Klindt Kreider

Lakin Leake Levin Liese Linton

Lograsso Long Luetkenhaus McLuckie Merideth

Monaco Murphy Murray Naeger O'Toole

Overschmidt Patek Pouche Purgason Ransdall

Reynolds Ridgeway Schilling Schwab Scott

Sheldon 104 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thompson 72 Troupe Vogel Wannenmacher Wiggins

Williams 159 Wilson Wooten

NOES: 032

Bartelsmeyer Bauer Bennett Bray 84 Donovan

Franklin Fritts Gaston Gibbons Griesheimer

Hartzler 123 Hendrickson Hilgemann Hohulin Hoppe

Kennedy Legan Loudon Marble May 108

Mays 50 McBride McClelland Ostmann Parker

Reinhart Robirds Ross Sallee Scheve

Secrest Seigfreid Shelton 57 Townley Treadway

Van Zandt Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 032

Barry 100 Berkstresser Boucher Clayton Cooper

Copeland Crump Dolan Dougherty Edwards-Pavia

Gaskill Gratz Hall Hickey Holand

Hosmer Johnson Kelley 47 Kissell Koller

Lawson Miller Nordwald O'Connor Pryor

Relford Richardson Rizzo Shear Thomason 163

Thompson 37 Mr. Speaker

VACANCIES: 001

HCS HB 1636, with HS, as amended, pending, was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Scheve.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tim Hill, Aaron Palmer, Jordan Hoppe, Grant Hoppe, David McCarthy, Daniel McCarthy, Michael McCarthy, Ian Pierski, Nathan Pierski, Emma Pierski, and Chelsea Pierski.

RESOLUTIONS

Representative Franklin offered House Resolution No. 687, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hagan-Harrell offered House Resolution No. 688 and House Resolution No. 689, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Townley offered House Resolution No. 690, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Summers offered House Resolution No. 691, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bauer Bennett

Bland Boatright Bonner Bray 84 Broach

Burton Carter Champion Cierpiot Clayton

Cooper Copeland Crawford Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 003

Chrismer Ostmann Ridgeway

ABSENT WITH LEAVE: 009

Bartelsmeyer Berkstresser Boucher Campbell Crump

Dougherty Edwards-Pavia Gaston Mays 50

VACANCIES: 001

PERFECTION OF HOUSE BILLS

HCS HB 1636, with HS, as amended, pending, relating to community improvement districts, was again taken up by Representative Hoppe.

Representative Green offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1636, Page 5, Section 2, Line 12, by adding after the word "municipality" the word "**or county**".

On motion of Representative Green, House Amendment No. 2 was adopted.

Speaker Pro Tem Kreider resumed the Chair.

Representative Davis (63) offered House Amendment No. 3.

Representative Hoppe raised a point of order that House Amendment No. 3 is amending previously amended material.

The Chair ruled the point of order not well taken.

House Amendment No. 3 was withdrawn.

Representative Levin offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1636, Page 21, Section 7, Lines 18-20, by inserting after the word "act" on line 18, the following: "however, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to section 137.100(5) RSMo. Those exempt under section 137.100(5) RSMo may voluntarily participate in the provisions of this act"; and

Further amend said section, line 20, by inserting the following after the word "act": "however, no such tax shall be levied on any property exempt from taxation pursuant to Section 137.100(5) RSMo. Those exempt under section 137.100(5) RSMo may voluntarily participate in the provisions of this act.".

On motion of Representative Levin, House Amendment No. 3 was adopted.

Representative Davis (63) offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1636, Page 2, Section 1, Lines 7 and 8, by deleting all of said lines and inserting in lieu thereof the following: "**in which the property is located as of the last**"; and

Further amend said bill, Page 4, Section 1, Lines 19 and 20, by deleting all of said lines and inserting in lieu thereof the following: "**the tax records of the county clerk for real**"; and

Further amend said bill, Page 5, Section 1, Lines 3 and 4, by deleting all of said lines and inserting in lieu thereof the following: "**per the tax records of the county clerk for real**"; and

Further amend said bill, Page 6, Section 3, Lines 11 and 12, by deleting all of said lines and inserting in lieu thereof the following: "**county clerk as of the time of filing the petition**; and

Further amend said bill, Page 12, Section 3, Lines 10 and 11, by deleting all of said lines and inserting in lieu thereof the following: "**records of the county clerk. Such notice shall be**"; and

Further amend said bill, Page 22, Section 7, Lines 3 and 4, by deleting all of said lines and inserting in lieu thereof the following: "**(b) The district's personal property; or**"; and

Further amend said bill, Page 32, Section 11, Line 4, by deleting the semi-colon "**;**" at the end of said line and inserting in lieu thereof a period "**.**"; and

Further amend said bill, Page 32, Section 11, Lines 5 through 23, by deleting all of said lines; and

Further amend said bill, Page 33, Section 11, Lines 1 through 7, by deleting all of said lines; and

Further amend said bill, Page 40, Section 15, Lines 3, 4 and 5, by deleting all of said lines and inserting in lieu thereof the following: "**which the district is located shall collect the real property taxes**"; and

Further amend said bill, Page 43, Section 16, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following: "**the tax records of the county clerk for real**"; and

Further amend said bill, Page 44, Section 16, Lines 6 and 7, by deleting all of said lines and inserting in lieu thereof the following: "**county clerk. Such affidavit**"; and

Further amend said bill, Page 47, Section 18, Line 10, by deleting all of said lines and inserting in lieu thereof the following: "**second classification.**".

On motion of Representative Davis (63), House Amendment No. 4 was adopted by the following vote:

AYES: 082

Akin Backer Barnett Bartelsmeyer Bartlett

Bennett Berkstresser Boatright Bonner Broach

Burton Chrismer Cierpiot Copeland Crump

Davis 63 DeMarce Dolan Edwards-Pavia Elliott

Farnen Fitzwater Foley Ford Foster

Froelker Gaston Graham 24 Gratz Green

Griesheimer Gunn Hall Hegeman Hickey

Hohulin Hosmer Howerton Johnson Kasten

Kelly 27 Kissell Kreider Lawson Leake

Legan Linton Lograsso Loudon Luetkenhaus

Marble Merideth Miller Murphy Murray

Naeger O'Connor O'Toole Ostmann Overschmidt

Patek Pryor Purgason Reinhart Richardson

Ridgeway Ross Schilling Schwab Scott

Seigfreid Shields Stokan Stoll Summers

Surface Thomason 163 Townley Troupe Vogel

Wannenmacher Wiggins

NOES: 070

Alter Auer Ballard Barry 100 Bauer

Bland Boucher Bray 84 Campbell Carter

Champion Clayton Cooper Crawford Daniel 42

Davis 122 Days Donovan Enz Evans

Franklin Fritts Gaskill Gibbons Graham 106

Gross Hartzler 123 Hartzler 124 Heckemeyer Hendrickson

Hilgemann Hollingsworth Hoppe Kauffman Kennedy

Koller Lakin Levin Liese Long

May 108 Mays 50 McBride McClelland McLuckie

Monaco Nordwald Parker Pouche Ransdall

Relford Reynolds Rizzo Robirds Sallee

Scheve Secrest Shear Shelton 57 Skaggs

Smith Stroker Thompson 72 Treadway Van Zandt

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

PRESENT: 002

Hagan-Harrell Thompson 37

ABSENT WITH LEAVE: 008

Daniels 41 Dougherty Harlan Holand Kelley 47

Klindt Sheldon 104 Steen

VACANCIES: 001

Representative Kelly (27) offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1636, Page 5, Section 2, Line 18, by inserting immediately after "**RSMo**" on said line the following:

"**, and, in either form, with the advice and consent of the governing body of the municipality required for the execution of its powers, pursuant to section 7 of this act,**"; and

further amend said bill, page 20, section 7, line 15 of said section, by inserting immediately after the word "**shall**" on said line the following:

"**, with the advice and consent of the governing body of the municipality,**".

Speaker Gaw assumed the Chair.

On motion of Representative Kelly (27), House Amendment No. 5 was adopted.

Representative Pryor offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1636, Page 22, Section 18, Line 1, by inserting immediately following the words "Section 18." the following:

"No municipality as defined in Section 1, paragraph 2, subsection (9) shall establish, mandate or otherwise require a minimum wage that exceeds the state minimum wage.";

and renumber the following sections accordingly.

On motion of Representative Pryor, House Amendment No. 6 was adopted.

On motion of Representative Hoppe, **HS HCS HB 1636, as amended,** was adopted.

On motion of Representative Hoppe, **HS HCS HB 1636, as amended,** was ordered perfected and printed.

HCS HB 1198, relating to insurance agents, was taken up by Representative Auer.

Representative Auer offered **HS HCS HB 1198**.

Representative Elliott offered House Amendment No. 1.

Representative Auer raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Auer, **HS HCS HB 1198** was adopted.

On motion of Representative Auer, **HS HCS HB 1198** was ordered perfected and printed.

HCS HB 1189, relating to credit transactions, was taken up by Representative Liese.

Representative Parker offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1189, Page 2, Line 23, by deleting the word "expenses", and insert in lieu thereof the word "fees".

On motion of Representative Parker, House Amendment No. 1 was adopted.

Representative Elliott offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1189, Page 1, Section in the title, Line 2, by deleting "and 408.500" and inserting in lieu thereof the following "**408.500 and 1**"; and

further amend the title, line 3, by deleting the word "two" and inserting in lieu thereof the word "**three**"; and

further amend said substitute, section A, line 1, by deleting "and 408.500" and inserting in lieu thereof the following "**408.500 and 1**"; and

further amend said line by deleting the word "two" and inserting the word "**three**"; and

further amend said substitute, page 2, section 408.500, line 25, by inserting immediately at the end of said line the following;

Section 1. As used in sections 408.250 to 408.370, a retail installment agreement shall be deemed to be signed or accepted by the buyer, if after a request for a retail installment account, the agreement or application for a retail installment account is in fact signed by the buyer, or if the retail installment account is used by the buyer, or if the retail installment account is used by another person authorized by the buyer to use it.

On motion of Representative Elliott, House Amendment No. 2 was adopted.

On motion of Representative Liese, **HCS HB 1189, as amended,** was adopted.

On motion of Representative Liese, **HCS HB 1189, as amended,** was ordered perfected and printed.

HCS HB 1656, relating to distressed communities, was taken up by Representative Bray.

Representative Bray offered **HS HCS HB 1656**.

Representative Parker offered House Amendment No. 1.

Representative Bray raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Seigfreid offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1656, Page 25, Section 215.030, Line 14 of said page, by inserting after said line the following:

"**Section 1. No credit authorized under the provisions of sections 100.840, 135.403, 135.405, 135.408, 135.503, or 135.535, RSMo, to business entities which locate in a distressed community as defined in section 135.530, RSMo, shall be granted if a business entity closes or ceases to do business at another location located in this state within six months of the beginning of operation in a distressed community.**"; and

Further amend said substitute by amending the title and enacting clause accordingly.

Representative Kissell offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1656, Page 25, Section 215.030, Line

14 of said page, by inserting after said line the following:

"**Section 1. No credit authorized under the provisions of sections 100.840, 135.403, 135.405, 135.408, 135.503, or 135.535, RSMo, to any business entity which locates or invests in a distressed community as defined in section 135.530, RSMo, shall be granted unless the owner or owners of the business entity sign an affidavit with the department of economic development attesting that without the benefits of the tax credits provided pursuant to sections 100.840, 135.403, 135.405, 135.408, 135.503, or 135.535, RSMo, the business entity would not reasonably be anticipated to locate, expand or invest within the distressed community.**; and

Further amend said substitute by amending the title and enacting clause accordingly.

Representative Kissell moved that House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 049

Bennett Berkstresser Boatright Boucher Champion

Chrismer Cierpiot Crump DeMarce Evans

Farnen Foley Gaskill Green Gross

Gunn Hartzler 123 Hegeman Hickey Howerton

Johnson Kissell Kreider Legan Liese

Lograsso Luetkenhaus Monaco Murray O'Connor

O'Toole Ostmann Overschmidt Pryor Ransdall

Reinhart Reynolds Ridgeway Rizzo Robirds

Ross Sallee Scheve Smith Stoll

Townley Treadway Vogel Wannenmacher

NOES: 094

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bland Bonner Bray 84 Broach Burton

Campbell Carter Clayton Crawford Daniel 42

Davis 122 Days Edwards-Pavia Elliott Enz

Fitzwater Foster Franklin Fritts Froelker

Gaston Gibbons Graham 106 Gratz Griesheimer

Hall Harlan Hartzler 124 Heckemeyer Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Kasten Kauffman Kelly 27 Kennedy

Koller Lakin Leake Levin Linton

Loudon Marble May 108 Mays 50 McBride

McClelland Merideth Miller Murphy Naeger

Nordwald Parker Patek Purgason Relford

Schilling Schwab Scott Secrest Seigfreid

Shear Shelton 57 Shields Skaggs Steen

Stokan Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Troupe Van Zandt Williams 121

Williams 159 Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 019

Cooper Copeland Daniels 41 Davis 63 Dolan

Donovan Dougherty Ford Graham 24 Hagan-Harrell

Kelley 47 Klindt Lawson Long McLuckie

Pouche Richardson Sheldon 104 Wiggins

VACANCIES: 001

On motion of Representative Seigfreid, House Amendment No. 1 was adopted by the following vote:

AYES: 095

Akin Alter Ballard Barnett Bartelsmeyer

Bauer Bennett Berkstresser Boatright Broach

Burton Chrismer Cierpiot Cooper Copeland

Crawford Crump Davis 122 Donovan Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Foster Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Gratz Griesheimer

Gross Gunn Hall Hartzler 123 Hartzler 124

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hoppe Howerton Johnson Kasten

Kissell Koller Kreider Leake Legan

Levin Liese Linton Lograsso Loudon

Marble McBride Merideth Miller Murray

Naeger Nordwald O'Connor Ostmann Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Ridgeway Robirds Ross

Sallee Schwab Scott Secrest Seigfreid

Shields Smith Steen Stoll Summers

Surface Thomason 163 Vogel Wiggins Williams 159

NOES: 046

Auer Backer Barry 100 Bartlett Bland

Bonner Boucher Bray 84 Campbell Carter

Champion Daniel 42 Days DeMarce Franklin

Graham 24 Green Hagan-Harrell Hollingsworth Hosmer

Kauffman Kelly 27 Kennedy Lakin May 108

Mays 50 McClelland McLuckie Monaco O'Toole

Overschmidt Parker Schilling Shear Shelton 57

Skaggs Stokan Stroker Thompson 72 Treadway

Van Zandt Wannenmacher Williams 121 Wilson Wooten

Mr. Speaker

PRESENT: 001

Thompson 37

ABSENT WITH LEAVE: 020

Clayton Daniels 41 Davis 63 Dolan Dougherty

Ford Harlan Heckemeyer Kelley 47 Klindt

Lawson Long Luetkenhaus Murphy Richardson

Rizzo Scheve Sheldon 104 Townley Troupe

VACANCIES: 001

Representative Hartzler (124) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1656, Page 13, Section 135.535, Line 15, by adding after the word "manufacturing" the word "retail"; and

further amend page 14, the words "retail equipment" after the word "maintenance".

Representative Hartzler (124) moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 044

Ballard Barnett Bartelsmeyer Bennett Berkstresser

Boatright Champion Chrismer Cierpiot Crawford

Donovan Evans Foster Froelker Gaston

Gibbons Graham 106 Griesheimer Hartzler 123 Hartzler 124

Hegeman Hendrickson Holand Howerton Kasten

Legan Levin Linton Loudon Marble

McClelland Miller Naeger Nordwald Pouche

Reinhart Ridgeway Robirds Sallee Schwab

Scott Secrest Shields Summers

NOES: 090

Akin Alter Auer Backer Barry 100

Bartlett Bauer Bland Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Cooper Copeland Crump Daniel 42 Davis 122

Days DeMarce Edwards-Pavia Elliott Enz

Farnen Fitzwater Foley Fritts Graham 24

Gratz Green Gross Gunn Hall

Heckemeyer Hickey Hilgemann Hollingsworth Hosmer

Johnson Kauffman Kennedy Kissell Kreider

Lakin Lawson Leake Liese Long

Luetkenhaus May 108 Mays 50 McBride McLuckie

Merideth Monaco Murphy Murray O'Toole

Ostmann Overschmidt Parker Patek Pryor

Purgason Ransdall Relford Reynolds Ross

Scheve Seigfreid Shear Shelton 57 Skaggs

Smith Stokan Stroker Surface Thomason 163

Thompson 37 Treadway Van Zandt Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 028

Clayton Daniels 41 Davis 63 Dolan Dougherty

Ford Franklin Gaskill Hagan-Harrell Harlan

Hohulin Hoppe Kelley 47 Kelly 27 Klindt

Koller Lograsso O'Connor Richardson Rizzo

Schilling Sheldon 104 Steen Stoll Thompson 72

Townley Troupe Vogel

VACANCIES: 001

Representative Green offered House Amendment No. 3.

Representative Bray raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Pryor offered House Amendment No. 3.

Representative Bray raised a point of order that House Amendment No. 3 is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Bray, **HS HCS HB 1656, as amended,** was adopted.

On motion of Representative Bray, **HS HCS HB 1656, as amended,** was ordered perfected and printed.

HCS HB 971, relating to juvenile court improvement act, was taken up by Representative Smith.

Representative Smith offered **HS HCS HB 971**.

On motion of Representative Smith, **HS HCS HB 971** was adopted.

On motion of Representative Smith, **HS HCS HB 971** was ordered perfected and printed.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **CCS SCS HCS HB 1014** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HCS HB 1014** was delivered to the Governor by the Chief Clerk of the House.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SB 518 - Motor Vehicle and Traffic Regulations

SCS SB 610 & 835 - Agriculture

SB 631 - Civil and Administrative Law

SB 641 - Education - Higher

SB 695 - Correctional and State Institutions

SB 733 - Retirement

SB 746 - Ways and Means

SS SCS SB 754 - Critical Issues

SB 766 - Criminal Law

SCS SB 790 - Judiciary

SB 819 - Civil and Administrative Law

SB 841 - Retirement

SB 844 - Civil and Administrative Law

SB 861 - Ways and Means

SB 884 - Education - Higher

SB 888 - Ways and Means

SB 894 - Professional Registration and Licensing

SCS SB 897 - Agriculture

SB 898 - Local Government and Related Matters

SB 900 - Civil and Administrative Law

SB 908 - Civil and Administrative Law

SB 917 - Local Government and Related Matters

SB 918 - Correctional and State Institutions

SCS SB 922 - Workers Compensation and Employment Security

SB 925 - Miscellaneous Bills and Resolutions

SB 927 - Commerce

SB 928 - Correctional and State Institutions

SB 940 - Professional Registration and Licensing

SB 941 - Social Services, Medicaid and the Elderly

SB 945 - Agri-Business

SB 947 - Education - Elementary and Secondary

SB 961 - Children, Youth and Families

SB 963 - Social Services, Medicaid and the Elderly

SB 970 - Agriculture

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1837, HB 1578, HB 1476, HB 1117, HB 1622, HB 948, HB 1627, HB 1834, HB 1698, HB 1385, HB 1767, HB 1779, HB 1807, HB 1847, HB 1862** and **HB 1043**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 1822**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 10**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Concurrent Resolution No. 10

WHEREAS, teaching children to act safely around firearms is a critical step in the effort to reduce the number of firearm-related accidents among children; and

WHEREAS, the Eddie Eagle Elementary Gun Safety Education Program teaches the fundamentals of firearms safety to children in an effective and enjoyable way, communicating to them the lifesaving message offered by the program: "If you see a gun, STOP! Don't touch. Leave the area. Tell an adult"; and

WHEREAS, the nationally-recognized Eddie Eagle Elementary Gun Safety Education Program has been used by more than 10,000 public or private schools and law enforcement agencies, and has reached over 10 million children since 1988; and

WHEREAS, the Eddie Eagle Elementary Gun Safety Education Program has been presented the 1994 Golden Achievement Award of the National School Public Relations Association, the 1995 National Education Award of the American Legion, and the 1996 Award of Merit from the National Safety Council's Awards & Recognition committee of the Youth Activities Division; and

WHEREAS, the Legislature of the State of Missouri also encourages civic activists and community volunteers to adopt and promote this important program:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Eighty-Ninth General Assembly, Second Regular Session, the Senate Concurring therein, hereby encourage civic and community service organizations which are concerned about the safety and well-being of the children of our state to help provide funding for the Eddie Eagle Elementary Gun Safety Education Program at the local level; and

BE IT FURTHER RESOLVED that the Legislature of the State of Missouri hereby encourage the State Department of Education to promote the use of the Eddie Eagle Elementary Gun Safety Education Program in our schools to help prevent firearm-related accidents among children; and

BE IT FURTHER RESOLVED that the Legislature of the State of Missouri commend the National Rifle Association for its diligence and service in developing the Eddie Eagle Elementary Gun Safety Education Program and making it available for use in our communities; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House be instructed to prepare properly inscribed copies of this resolution for the Department of Education.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1943, introduced by Representative Kennedy, relating to soil and water conservation districts.

HB 1944, introduced by Representatives Kennedy, Davis (63), Auer, Bartlett, O'Toole, Carter, May (108) and Hilgemann, relating to tax credits for renovation costs on certain older homes.

LETTER OF OBJECTION

March 31, 1998

Chief Clerk Anne Walker

Office of Chief Clerk

House of Representatives

Jefferson City, MO 65101

Dear Chief Clerk Walker:

Please find here five signatures pursuant to Rule 48 (b) of the Missouri House of Representatives Rules book. Our signature here indicates our position that House Bill 1767 shall not be a consent bill.

/s/ Steve McLuckie Dist. 44

/s/ Tim Van Zandt Dist. 38

/s/ Phil Smith Dist. 11

/s/ Sandra Kauffman Dist. 45

/s/ Carl H. Hendrickson Dist. 97

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, April 1, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-fourth Day, Monday, March 30, 1998, pages 778 and 779, roll call, by showing Representative Ballard voting "aye" rather than "absent with leave".

Pages 780 and 781, roll call, by showing Representative Boatright voting "aye" rather than "absent with leave".

Page 782, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 782 and 783, roll call, by showing Representative Fitzwater voting "aye" rather than "absent with leave".

Pages 783 and 784, roll call, by showing Representative Broach voting "aye" rather than "absent with leave".

Pages 786 and 787, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 788 and 789, roll call, by showing Representative Kasten voting "aye" rather than "absent with leave".

Pages 789 and 790, roll call, by showing Representatives Bartelsmeyer and Kelly (27) voting "aye" rather than "absent with leave".

Pages 790 and 791, roll call, by showing Representative Kasten voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, April 1, 1998, 1:15 pm. Hearing Room 9.

Executive session may or may not follow.

To be considered - HB 1906, SB 626

BUDGET

Wednesday, April 1, 1998, 8:30 am. Hearing Room 9.

Possible executive session on previously heard bills.

To be considered - HB 1020

CHILDREN, YOUTH AND FAMILIES

Wednesday, April 1, 1998, 7:30 pm. Hearing Room 8. Executive session to follow.

To be considered - SB 632

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 1, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session to follow.

To be considered - SB 470, SB 764, SB 786

COMMERCE

Wednesday, April 1, 1998. Hearing Room 6 upon morning adjournment.

Executive session may follow.

To be considered - SB 661

CONSUMER PROTECTION

Thursday, April 2, 1998, 9:30 am. Hearing Room 7.

To be considered - Executive Session - HB 1770

CRIMINAL LAW

Wednesday, April 1, 1998, 8:00 pm. Hearing Room 9. Executive session may follow.

To be considered - HB 1915, HB 1672, SB 532, SB 673

ENVIRONMENT AND ENERGY

Thursday, April 2, 1998, 8:30 am. Hearing Room 6. Executive session.

To be considered - SB 739

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, April 1, 1998, 8:30 am. Hearing Room 8. AMENDED

To be considered - HJR 53, HB 1898, HB 1927, SB 571, HB 1926

JOINT COMMITTEE ON WETLANDS

Wednesday, April 8, 1998, 12:30 pm. Senate Committee Room 1. Big Muddy

National Fish and Wildlife Refuge presentation.U.S.Army Corps of Engineers

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 1, 1998. Hearing Room 3 and 4 upon morning adjournment.

To be considered - HR 325, HJR 54, HCR 12, SB 615, Executive Session -

HB 1803, Executive Session - HR 325

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, April 1, 1998, 8:00 pm. Hearing Room 5.

To be considered - SB 650, SB 732, SB 854

PROFESSIONAL REGISTRATION & LICENSING

Thursday, April 2, 1998, 9:15 am. Room 401. Executive session.

RETIREMENT

Wednesday, April 1, 1998, 6:30 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 501

SUB-COMMITTEE ON HIGHER EDUCATION

Thursday, April 2, 1998, 9:00 am. Room 229. (State Treasurer's conference room)

To be considered - HB 1796

SUB-COMMITTEE ON SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Wednesday, April 1, 1998. Side gallery upon afternoon adjournment.

To be considered - Executive Session - HB 1337

TRANSPORTATION

Wednesday, April 1, 1998, 1:00 pm. Hearing Room 5. Executive session to follow.

To be considered - HB 1922, SB 487, SB 883

UTILITIES REGULATION

Thursday, April 2, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1904, SB 561

HOUSE CALENDAR

Forty-sixth Day, Wednesday, April 1, 1998

HOUSE BILLS FOR SECOND READING

HB 1943 and HB 1944

HOUSE BILLS FOR PERFECTION

1 HB 1258 - Bland

2 HCS HB 1441, 937 & 1795 - Luetkenhaus

3 HCS HB 977 & 1608 - Shelton (57)

4 HCS HB 1237, 1409, 1166, 1154 & 1491 - Luetkenhaus

5 HCS HB 1405, 1109 & 1335 - Smith

6 HCS HB 972 & 1310 - Dougherty

7 HCS HB 1799 - Stroker

8 HCS HB 1537 - Troupe

9 HCS HB 1317 - Fritts

10 HB 1876 - Leake

11 HCS HB 1510 - Campbell

12 HB 1126, HCA 1 - Thomason (163)

13 HCS HB 1265 - Kreider

14 HB 893, HCA 1 - Backer

15 HCS HB 1674 - Rizzo

16 HB 1564 - Relford

17 HCS HB 1737 & 1345 - Riback Wilson

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(March 25, 1998)

1 HB 1136 - Stokan

2 HB 1668 - Hosmer

(March 26, 1998)

3 HB 1905 - Kreider

(March 30, 1998)

4 HB 1907 - Lakin

5 HB 1918 - Lograsso

6 HB 1928 - Parker

7 HB 1600 - Williams (159)

8 HB 1102 - Ostmann

9 HB 1610 - Summers

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HS HCS HB 1323 - Green

3 HB 1229, E.C. (Budget Fiscal 3-26-98) - Leake

4 HCS HB 1681 & 1342, (Budget Fiscal 3-26-98) - Koller

5 HS HCS HB 1455 & 1463, E.C. (Budget Fiscal 3-26-98) - O'Toole

6 HS HCS HB 1434, E.C. - Thomason (163)

7 HS HB 1694, (Budget Fiscal 3-26-98) - Farnen

8 HB 1322 - Foley

9 HCS HB 1526 - May (108)

10 HCS HB 1143, E.C. - Mays (50)

11 HCS HB 1038, (Budget Fiscal 3-30-98) - Carter

12 HS HB 1070 - Barry

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1837 - Hollingsworth

2 HB 1578 - Hilgemann

3 HB 1476 - Scheve

4 HB 1117 - Kreider

5 HB 1622 - Fritts

6 HB 948 - Long

7 HB 1627 - Green

8 HB 1834 - Stoll

9 HB 1698 - Hosmer

10 HB 1385 - Summers

11 HB 1779 - Riback Wilson

12 HB 1807 - Bartelsmeyer

13 HB 1847 - Kreider

14 HB 1862 - Crawford

15 HB 1043 - Gross

SENATE BILLS FOR THIRD READING - CONSENT

(March 25, 1998)

SCS SB 707 & 484, E.C. - Scheve

HOUSE CONCURRENT RESOLUTIONS

HCR 10, (March 31, 1998) - Crump

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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House Journal

Second Regular Session, 89th General Assembly

FORTY-SIXTH DAY, WEDNESDAY, APRIL 1, 1998

Representative Lograsso in the Chair.

Prayer by Father Hugh Behan.

"The wisdom of the world is foolishness with God." (I Cor. 3:19).

Today, some of us obviously have been caught by the annual April Fool's Day activity and we will all hear of some world famous and House pranks that have been pulled off. As with so many of our special days, it has its origins in the religious world, the reference to those who challenge the world's value system with the wisdom of God.

Today, Eternal God, we rejoice and celebrate those "holy fools" who have always challenged the wisdom of the world, recalling Paul who asks believers to be fools. As our society says good-bye to Bella Abzug, and we will commemorate the 30th anniversary of the assassination of Dr. Martin Luther King Jr. on Saturday, we celebrate those who took on the conventional wisdom; we honor those who have called for forgiveness as a prerequisite for healing after the horrible deaths in Jonesboro, Arkansas, in a society which seems to want punishment and revenge. We want to listen more closely to those many men, women and children who call to a sanity which is seen as insanity in the eyes of the world. Fill us full of that holy insanity which is in fact true Wisdom. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Connor Scott Kinzer, Josef Clark, Cindy Palmer, Nathan Urhahn, Stephanie Bloss, Mary Johnson, Joe Howard, Stephanie Harris, Adam Muffler, Elizabeth Walters, Matthew Beck, Julia Goss, Mary Lueder, Margaret Mayfield, Jenna Harris, Simon Hile, Kenan Petrash, Zachary Symes, Lauren Elise Tappana, Emily Bollinger, David Norber and Jeff Kissel.

The Journal of the forty-fifth day was approved as corrected.

RESOLUTIONS

Representative Purgason offered House Resolution No. 692 through House Resolution No. 695, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Vogel and Gratz offered House Resolution No. 696, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 697, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Scott, Secrest, Gibbons, Linton and Akin offered House Resolution No. 698, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Luetkenhaus offered House Resolution No. 699, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 700, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative DeMarce offered House Resolution No. 701, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1943 and **HB 1944** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 1070**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Speaker Gaw assumed the Chair.

PERFECTION OF HOUSE BILL

HCS HBs 1441, 937 & 1795, relating to partial birth abortion, was taken up by Representative Luetkenhaus.

Representative Luetkenhaus offered **HS HCS HBs 1441, 937 & 1795**.

Representative Bray offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1441, Page 3, Section 188.035(1), Line 15, by adding following the word "life" the words "**or health**".

Representative Bray moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 048

Backer Bartlett Bland Bray 84 Campbell
Carter Clayton Daniel 42 Daniels 41 Davis 122
Davis 63 Days Fitzwater Ford Franklin
Fritts Graham 24 Gunn Hagan-Harrell Harlan
Hilgemann Hollingsworth Hosmer Kauffman Kelly 27
Kreider Lakin Lawson May 108 Mays 50
McBride McClelland McLuckie Ostmann Relford
Scheve Schilling Shear Shelton 57 Skaggs
Smith Stokan Thompson 37 Thompson 72 Van Zandt
Williams 121 Wilson Mr. Speaker

NOES: 112

Akin Alter Auer Ballard Barnett
Barry 100 Bartelsmeyer Bauer Bennett Berkstresser
Boatright Bonner Boucher Broach Burton
Champion Chrismer Cierpiot Cooper Copeland
Crawford Crump DeMarce Dolan Donovan
Edwards-Pavia Elliott Enz Evans Farnen
Foley Foster Froelker Gaskill Gaston
Gibbons Graham 106 Gratz Green Griesheimer
Gross Hall Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hohulin Holand
Hoppe Howerton Johnson Kasten Kelley 47
Kennedy Kissell Klindt Koller Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Schwab Scott
Secrest Seigfreid Shields Steen Stoll
Stroker Summers Surface Thomason 163 Townley
Treadway Troupe Vogel Wannenmacher Wiggins
Williams 159 Wooten

PRESENT: 000

ABSENT WITH LEAVE: 002

Dougherty Sheldon 104

VACANCIES: 001

Representative Hollingsworth offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1441, 937 and 1795, Page 2, Section 188.015, Lines 14 through 20, by deleting all of said lines and inserting in lieu thereof the following:

"**(6) "Partial birth abortion", a medical procedure entitled an intact dilation and extraction, performed on a fetus involving all of the following elements:**

(a) Deliberate dilation of the cervix, usually over a sequence of days;

(b) Instrumental conversion of the fetus to a footling breech;

(c) Breech extraction of the body excepting the head; and

(d) Evacuation of the intracranial contents of a viable fetus to effect vaginal delivery of a dead but otherwise intact fetus;".

Representative Hollingsworth moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 046

Backer Bartlett Bland Bray 84 Campbell

Carter Clayton Daniel 42 Daniels 41 Davis 122

Davis 63 Days Fitzwater Ford Franklin

Fritts Graham 24 Gunn Hagan-Harrell Harlan

Hilgemann Hollingsworth Hosmer Kauffman Kelly 27

Kreider Lakin May 108 Mays 50 McBride

McClelland McLuckie Ostmann Relford Scheve

Schilling Shear Shelton 57 Skaggs Smith

Stokan Thompson 72 Van Zandt Williams 121 Wilson

Mr. Speaker

NOES: 109

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bauer Bennett Berkstresser

Boatright Bonner Boucher Broach Burton

Champion Chrismer Cierpiot Cooper Copeland

Crawford DeMarce Dolan Donovan Edwards-Pavia

Elliott Enz Evans Farnen Foley

Foster Froelker Gaskill Gaston Gibbons
Graham 106 Gratz Green Griesheimer Gross
Hall Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hohulin Holand Hoppe
Howerton Johnson Kasten Kelley 47 Kennedy
Kissell Klindt Koller Lawson Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble Merideth Miller
Monaco Murphy Murray Naeger Nordwald
O'Connor O'Toole Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Reynolds Richardson Ridgeway Robirds Ross
Sallee Schwab Scott Secrest Seigfreid
Shields Steen Stoll Stroker Summers
Surface Thomason 163 Townley Treadway Troupe
Vogel Wannenmacher Williams 159 Wooten

PRESENT: 000

ABSENT WITH LEAVE: 007

Crump Dougherty Leake Rizzo Sheldon 104
Thompson 37 Wiggins

VACANCIES: 001

On motion of Representative Luetkenhaus, **HS HCS HBs 1441, 937 & 1795** was adopted by the following vote:

AYES: 128

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bauer Bennett
Berkstresser Boatright Bonner Boucher Broach
Burton Champion Chrismer Cierpiot Cooper
Copeland Crawford Crump Davis 122 DeMarce
Dolan Donovan Edwards-Pavia Elliott Enz
Evans Farnen Foley Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Gratz Green Griesheimer Gross
Hall Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 McBride

McClelland Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schwab Scott Secrest

Seigfreid Shields Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Townley Treadway Troupe Vogel Wannenmacher

Wiggins Williams 159 Wooten

NOES: 029

Bartlett Bland Bray 84 Campbell Carter

Clayton Daniel 42 Daniels 41 Davis 63 Days

Fitzwater Ford Graham 24 Gunn Hagan-Harrell

Harlan Hilgemann Kauffman Lakin Mays 50

McLuckie Schilling Shear Shelton 57 Skaggs

Thompson 72 Van Zandt Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 005

Dougherty Murphy Sheldon 104 Thompson 37 Williams 121

VACANCIES: 001

On motion of Representative Luetkenhaus, **HS HCS HBs 1441, 937 & 1795** was ordered perfected and printed by the following vote:

AYES: 126

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Boatright Bonner Boucher Broach

Burton Champion Chrismer Cierpiot Cooper

Copeland Crawford Crump Davis 122 DeMarce

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Farnen Foley Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Gratz Green Griesheimer Gross

Hall Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 McBride

McClelland Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor Ostmann

Overschmidt Parker Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schwab Scott Secrest Seigfreid

Shields Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Townley

Treadway Vogel Wannenmacher Wiggins Williams 159

Wooten

NOES: 030

Bartlett Bland Bray 84 Campbell Carter

Clayton Daniel 42 Daniels 41 Davis 63 Days

Fitzwater Ford Graham 24 Gunn Hagan-Harrell

Harlan Hilgemann Kauffman Lakin Mays 50

McLuckie Schilling Shear Shelton 57 Skaggs

Thompson 37 Thompson 72 Van Zandt Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Dougherty O'Toole Patek Sheldon 104 Troupe

Williams 121

VACANCIES: 001

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

RESOLUTIONS

Representative McClelland offered House Resolution No. 702, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ballard offered House Resolution No. 703, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 704 through House Resolution No. 710, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelly (27) offered House Resolution No. 711, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelley (47) offered House Resolution No. 712 and House Resolution No. 713, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sallee offered House Resolution No. 714, which was referred to the Committee on Miscellaneous Bills and Resolutions.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HB 1198 - Budget (Fiscal Note)

HS HCS HB 971 - Budget (Fiscal Note))

COMMITTEE REPORTS

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution No. 468** through **House Resolution No. 645** and **House Resolution No. 647** through **House Resolution No. 683** and **House Resolution No. 685** through **House Resolution No. 691**, begs leave to report it has examined the same and recommends that they **Do Pass**.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 971, HCS HB 1013, HCS HB 1189, HS HCS HB 1198** and **HS HCS HB 1656**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1636**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1668** and **HB 1136**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1603**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HBs 1455 & 1463 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HS HB 1694 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

G855

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HBs 1681 & 1342 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1229 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1856**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Representative Scheve assumed the Chair.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Days DeMarce Dolan

Donovan Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger O'Toole
Overschmidt Parker Patek Pouche Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Scott Secrest Seigfreid
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 001

Lograsso

ABSENT WITH LEAVE: 013

Davis 63 Dougherty Hohulin Kasten Nordwald
O'Connor Ostmann Pryor Schwab Shear
Sheldon 104 Williams 121 Wooten

VACANCIES: 001

THIRD READING OF HOUSE BILLS

HS HCS HB 1323, relating to credit unions, was taken up by Representative Green.

Representative Green moved that **HS HCS HB 1323** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 080

Akin Alter Auer Backer Barry 100
Bartlett Bauer Bland Bonner Boucher
Bray 84 Broach Carter Champion Chrismer
Cierpiot Daniel 42 Davis 63 Days Dolan
Donovan Edwards-Pavia Enz Farnen Foley
Ford Foster Franklin Graham 24 Green
Gunn Hagan-Harrell Hall Harlan Heckemeyer
Hendrickson Hickey Hilgemann Hollingsworth Hosmer
Johnson Kauffman Kelly 27 Kennedy Kissell

Lakin Lawson Levin Liese Loudon
May 108 Mays 50 McBride McClelland McLuckie
Monaco Murphy Murray O'Toole Ostmann
Pouche Ransdall Reynolds Ross Scheve
Schilling Secrest Shear Shelton 57 Stokan
Stoll Stroker Thompson 72 Treadway Troupe
Van Zandt Wiggins Williams 159 Wilson Mr. Speaker

NOES: 066

Ballard Barnett Bartelsmeyer Berkstresser Boatright
Burton Clayton Copeland Crawford Crump
Daniels 41 Davis 122 DeMarce Elliott Evans
Fitzwater Fritts Froelker Gaskill Gaston
Graham 106 Gratz Griesheimer Gross Hartzler 123
Hartzler 124 Hohulin Holand Howerton Kelley 47
Klindt Koller Kreider Leake Legan
Long Marble Merideth Miller Naeger
Nordwald Overschmidt Parker Patek Purgason
Reinhart Relford Richardson Ridgeway Rizzo
Robirds Sallee Schwab Scott Seigfreid
Shields Skaggs Smith Steen Summers
Surface Thomason 163 Thompson 37 Townley Vogel
Wannenmacher

PRESENT: 008

Bennett Campbell Gibbons Hegeman Hoppe
Linton Luetkenhaus Williams 121

ABSENT WITH LEAVE: 008

Cooper Dougherty Kasten Lograsso O'Connor
Pryor Sheldon 104 Wooten

VACANCIES: 001

HB 1229, relating to deferred compensation, was taken up by Representative Leake.

On motion of Representative Leake, **HB 1229** was read the third time and passed by the following vote:

AYES: 110

Akin Alter Auer Backer Barry 100

Bartlett Bauer Bland Bonner Boucher
Bray 84 Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Copeland Crawford
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Farnen Fitzwater
Foley Ford Franklin Fritts Froelker
Graham 106 Graham 24 Gratz Green Griesheimer
Gunn Hagan-Harrell Hall Harlan Hartzler 123
Heckemeyer Hickey Hilgemann Hollingsworth Hoppe
Hosmer Johnson Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Liese Luetkenhaus
May 108 Mays 50 McBride McLuckie Merideth
Miller Murray Nordwald O'Toole Ostmann
Overschmidt Parker Ransdall Relford Reynolds
Rizzo Ross Sallee Scheve Schilling
Schwab Secrest Seigfreid Shear Shelton 57
Shields Skaggs Smith Stokan Stoll
Stroker Summers Thomason 163 Thompson 37 Thompson 72
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 039

Ballard Barnett Bartelsmeyer Berkstresser Boatright
Broach Edwards-Pavia Elliott Enz Foster
Gaskill Gaston Gibbons Gross Hartzler 124
Hegeman Hendrickson Hohulin Holand Howerton
Kauffman Levin Linton Long Loudon
Marble McClelland Murphy Naeger Patek
Pouche Purgason Reinhart Richardson Ridgeway
Robirds Scott Surface Townley

PRESENT: 001

Bennett

ABSENT WITH LEAVE: 012

Cooper Crump Dougherty Evans Kasten
Lograsso Monaco O'Connor Pryor Sheldon 104
Steen Wooten

VACANCIES: 001

Representative Scheve declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 104

Alter Auer Backer Bartlett Bauer
Bland Bonner Boucher Bray 84 Burton
Campbell Carter Champion Cierpiot Clayton
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Days DeMarce Dolan Donovan
Evans Farnen Fitzwater Foley Ford
Franklin Fritts Graham 106 Graham 24 Gratz
Green Griesheimer Gunn Hagan-Harrell Harlan
Hartzler 123 Heckemeyer Hickey Hilgemann Hollingsworth
Hoppe Hosmer Johnson Kelley 47 Kelly 27
Kennedy Kissell Koller Lakin Lawson
Leake Legan Liese Luetkenhaus May 108
Mays 50 McBride McLuckie Miller Monaco
Murray Nordwald O'Toole Ostmann Overschmidt
Parker Patek Ransdall Relford Reynolds
Rizzo Ross Sallee Scheve Schilling
Schwab Secrest Seigfreid Shear Shelton 57
Shields Skaggs Smith Stokan Stoll
Stroker Thomason 163 Thompson 37 Thompson 72 Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 044

Akin Ballard Barnett Bartelsmeyer Berkstresser
Boatright Broach Chrismer Edwards-Pavia Elliott
Enz Foster Froelker Gaskill Gaston
Gibbons Gross Hall Hartzler 124 Hegeman
Hendrickson Hohulin Holand Howerton Kauffman
Klindt Levin Linton Long Loudon
Marble McClelland Merideth Naeger Pouche
Purgason Reinhart Richardson Ridgeway Robirds
Scott Summers Surface Townley

PRESENT: 001

Bennett

ABSENT WITH LEAVE: 013

Barry 100 Cooper Davis 63 Dougherty Kasten

Kreider Lograsso Murphy O'Connor Pryor

Sheldon 104 Steen Wooten

VACANCIES: 001

On motion of Representative Gunn, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Harlan moved that motion lay on the table.

The latter motion prevailed.

HCS HBs 1681 & 1342, relating to transportation oversight, was taken up by Representative Koller.

On motion of Representative Koller, **HCS HBs 1681 & 1342** was read the third time and passed by the following vote:

AYES: 148

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Edwards-Pavia

Elliott Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Toole Ostmann Overschmidt Patek

Pouche Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 002

Auer Murphy

PRESENT: 000

ABSENT WITH LEAVE: 012

Bray 84 Cooper Dougherty Enz Green

Kasten Lograsso O'Connor Parker Pryor

Shear Sheldon 104

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

HS HCS HBs 1455 & 1463, relating to St. Louis and Kansas City police and firefighters, was taken up by Representative O'Toole.

Representative O'Toole offered House Perfecting Amendment No. 1.

House Perfecting Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1455 & 1463, Page 1, Line 3 of the title, by deleting the numbers "86.371, 86.447, 86.620 and 86.672" and inserting in lieu thereof the numbers

"86.447, 86.620, 86.672 and 87.371".

On motion of Representative O'Toole, House Perfecting Amendment No. 1 was adopted.

On motion of Representative O'Toole, **HS HCS HBs 1455 & 1463, as amended,** was read the third time and passed by the following vote:

AYES: 130

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Clayton Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Edwards-Pavia Elliott Fitzwater Foley

Ford Franklin Fritts Froelker Graham 106

Graham 24 Gratz Green Griesheimer Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Legan Levin Liese Long

Loudon Luetkenhaus May 108 Mays 50 McBride

McLuckie Miller Monaco Murphy Murray

Naeger Nordwald O'Toole Ostmann Overschmidt

Parker Patek Pouche Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Ross Scheve Schilling Schwab Scott

Secrest Seigfreid Shields Skaggs Smith

Steen Stokan Stoll Stroker Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 021

Akin Ballard Boatright Bray 84 Evans

Farnen Foster Gaskill Gaston Gibbons

Gross Hohulin Linton Marble McClelland
Merideth Purgason Robirds Sallee Shelton 57
Summers

PRESENT: 000

ABSENT WITH LEAVE: 011

Cooper Copeland Dougherty Enz Kasten
Klindt Lograsso O'Connor Pryor Shear
Sheldon 104

VACANCIES: 001

Representative Scheve declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Auer Backer Barnett Barry 100 Bartlett
Bauer Bennett Berkstresser Bland Bonner
Boucher Bray 84 Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Elliott Farnen Fitzwater Foley Ford
Franklin Fritts Froelker Graham 106 Graham 24
Gratz Green Griesheimer Gunn Hagan-Harrell
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hickey
Hilgemann Holand Hollingsworth Hoppe Hosmer
Johnson Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Lograsso
Luetkenhaus May 108 Mays 50 McBride McLuckie
Miller Monaco Murphy Murray Naeger
Nordwald O'Toole Ostmann Overschmidt Parker
Patek Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Scheve Schilling Schwab Scott Secrest
Seigfreid Shear Shields Skaggs Smith
Steen Stokan Stoll Stroker Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 033

Akin Alter Ballard Bartelsmeyer Boatright

Broach Crawford Edwards-Pavia Enz Evans

Foster Gaskill Gaston Gibbons Gross

Hall Hegeman Hendrickson Hohulin Howerton

Kauffman Linton Long Loudon Marble

McClelland Merideth Pouche Purgason Sallee

Shelton 57 Summers Surface

PRESENT: 000

ABSENT WITH LEAVE: 005

Dougherty Kasten O'Connor Pryor Sheldon 104

VACANCIES: 001

On motion of Representative Monaco, title to the bill was agreed to.

Representative Lawson moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

HS HCS HB 1434, relating to special license plates, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **HS HCS HB 1434** was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Elliott Enz Evans Farnen Fitzwater

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Toole Ostmann Overschmidt
Parker Patek Pouche Purgason Ransdall
Reinhart Relford Reynolds Richardson Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Shear
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 003

Bennett Edwards-Pavia Kauffman

PRESENT: 000

ABSENT WITH LEAVE: 010

Boucher Dougherty Foley Kasten Linton
O'Connor Pryor Ridgeway Sheldon 104 Thompson 37

VACANCIES: 001

Representative Scheve declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Auer Backer Barnett Barry 100 Bartlett
Berkstresser Bland Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion
Cierpiot Clayton Cooper Copeland Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Elliott Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Gaskill Graham 106 Graham 24
Gratz Green Griesheimer Gunn Hagan-Harrell
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hickey
Hilgemann Hollingsworth Hoppe Hosmer Howerton
Johnson Kelley 47 Kelly 27 Kennedy Kissell
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Loudon
Luetkenhaus May 108 Mays 50 McBride McClelland
McLuckie Miller Monaco Murray Nordwald
O'Toole Ostmann Overschmidt Parker Patek
Pouche Ransdall Relford Reynolds Richardson
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Shear Shelton 57 Shields Skaggs Smith
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 031

Akin Alter Ballard Bartelsmeyer Bennett
Boatright Chrismer Crawford Edwards-Pavia Enz
Froelker Gaston Gibbons Gross Hall
Hegeman Hendrickson Hohulin Holand Kauffman
Klindt Lograsso Long Marble Merideth
Murphy Naeger Purgason Reinhart Ridgeway
Steen

PRESENT: 000

ABSENT WITH LEAVE: 007

Bauer Dougherty Kasten O'Connor Pryor
Sheldon 104 Thompson 37

VACANCIES: 001

On motion of Representative Bonner, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Campbell moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider resumed the Chair.

HB 1322, relating to health maintenance organizations, was taken up by Representative Foley.

On motion of Representative Foley, **HB 1322** was read the third time and passed by the following vote:

AYES: 150

Akin Alter Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Chrismer Clayton Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Toole
Ostmann Overschmidt Parker Patek Pouche
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Secrest
Seigfreid Shear Shelton 57 Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Gunn

PRESENT: 001

Auer

ABSENT WITH LEAVE: 010

Champion Cierpiot Dougherty Kasten O'Connor

Pryor Scott Sheldon 104 Shields Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Crump, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Shear moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1526, relating to pledged property, was taken up by Representative May (108).

On motion of Representative May (108), **HCS HB 1526** was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bennett Berkstresser

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Champion Chrismer Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murray
Naeger Nordwald O'Toole Ostmann Overschmidt
Parker Patek Pouche Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Shear Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 159 Wilson Wooten Mr. Speaker

NOES: 004

Bartlett Bland Carter Daniel 42

PRESENT: 000

ABSENT WITH LEAVE: 009

Bauer Dougherty Kasten Murphy O'Connor
Pryor Sheldon 104 Thompson 37 Williams 121

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hilgemann, title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1143, relating to emergency telecommunications, was taken up by Representative Mays (50).

On motion of Representative Mays (50), **HCS HB 1143** was read the third time and passed by the following vote:

AYES: 139

Akin Alter Auer Backer Ballard
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Elliott Enz Evans Fitzwater Ford
Franklin Fritts Gaskill Gibbons Graham 106
Gratz Green Griesheimer Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hendrickson Hickey Hilgemann Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger Nordwald O'Toole Ostmann
Overschmidt Parker Patek Pouche Purgason
Ransdall Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Shear Shelton 57 Shields Skaggs Smith
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 015

Barnett Boatright Edwards-Pavia Farnen Foster
Froelker Gaston Graham 24 Gross Hegeman
Hohulin Koller Loudon Reinhart Steen

PRESENT: 000

ABSENT WITH LEAVE: 008

Dougherty Foley Kasten Murphy O'Connor

Pryor Sheldon 104 Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 122

Auer Ballard Barry 100 Bartlett Bauer

Bennett Berkstresser Bland Bonner Boucher

Bray 84 Burton Campbell Carter Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Elliott Evans

Farnen Fitzwater Foley Ford Franklin

Fritts Froelker Gaskill Gibbons Graham 106

Gratz Green Griesheimer Gunn Hagan-Harrell

Harlan Hartzler 123 Heckemeyer Hickey Hilgemann

Hollingsworth Hoppe Hosmer Johnson Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Kreider

Lakin Lawson Leake Legan Levin

Liese Long Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Miller

Monaco Murray Nordwald O'Toole Ostmann

Overschmidt Parker Patek Pouche Ransdall

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shear Shelton 57

Shields Skaggs Smith Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 033

Akin Alter Barnett Bartelsmeyer Boatright
Broach Champion Chrismer Edwards-Pavia Enz
Foster Gaston Graham 24 Gross Hall
Hartzler 124 Hegeman Hendrickson Hohulin Holand
Howerton Klindt Koller Linton Lograsso
Loudon Merideth Murphy Naeger Purgason
Reinhart Ridgeway Steen

PRESENT: 000

ABSENT WITH LEAVE: 007

Backer Dougherty Kasten O'Connor Pryor
Sheldon 104 Thompson 37

VACANCIES: 001

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Ransdall moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

HS HB 1070, relating to insurance coverage, was taken up by Representative Barry.

On motion of Representative Barry, **HS HB 1070** was read the third time and passed by the following vote:

AYES: 137

Akin Alter Backer Barnett Barry 100
Bartelsmeyer Bartlett Bennett Berkstresser Bland
Boatright Bonner Boucher Bray 84 Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Copeland Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gunn Hagan-Harrell
Hall Harlan Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Koller
Kreider Lakin Lawson Leake Levin
Linton Lograsso Long Luetkenhaus May 108
Mays 50 McBride McClelland Merideth Miller
Monaco Murphy Murray Nordwald O'Toole
Ostmann Overschmidt Parker Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Shear
Shelton 57 Shields Skaggs Smith Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 72 Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 014

Ballard Crawford Gross Hartzler 123 Hohulin
Klindt Legan Loudon Marble Patek
Pouche Purgason Steen Townley

PRESENT: 001

Auer

ABSENT WITH LEAVE: 010

Bauer Dougherty Kasten Liese McLuckie
Naeger O'Connor Pryor Sheldon 104 Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative Stroker moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

HS HB 1694, relating to Advantage Missouri Program, was taken up by Representative Farnen.

On motion of Representative Farnen, **HS HB 1694** was read the third time and passed by the following vote:

AYES: 102

Auer Backer Barry 100 Bartlett Bauer
Bland Bonner Boucher Bray 84 Burton
Campbell Carter Champion Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Elliott Farnen Fitzwater Foley Ford
Franklin Fritts Graham 106 Graham 24 Gratz
Gunn Hagan-Harrell Harlan Hartzler 123 Heckemeyer
Hegeman Hickey Hilgemann Hollingsworth Hoppe
Hosmer Johnson Kauffman Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Liese Luetkenhaus May 108
Mays 50 McBride McClelland McLuckie Merideth
Monaco Murray Nordwald O'Toole Overschmidt
Parker Patek Pouche Ransdall Relford
Reynolds Rizzo Ross Sallee Scheve
Schilling Seigfreid Shear Shelton 57 Shields
Skaggs Smith Stokan Stoll Stroker
Summers Thomason 163 Thompson 72 Treadway Troupe
Van Zandt Vogel Wiggins Williams 121 Williams 159
Wilson Mr. Speaker

NOES: 052

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Chrismer
Donovan Edwards-Pavia Enz Evans Foster
Froelker Gaskill Gaston Gibbons Griesheimer
Gross Hall Hartzler 124 Hendrickson Hohulin
Holand Howerton Kelley 47 Legan Levin
Linton Lograsso Long Loudon Marble
Miller Murphy Naeger Ostmann Purgason
Reinhart Richardson Ridgeway Robirds Schwab
Scott Secrest Steen Surface Townley
Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 008

Cierpiot Dougherty Green Kasten O'Connor

Pryor Sheldon 104 Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative Hickey moved that the vote by which the bill passed be reconsidered.

Representative Stokan moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

PERFECTION OF HOUSE BILL

HB 1258 , relating to state income tax, was taken up by Representative Bland.

Representative Howerton offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1258, Page 2, Section 1, Line 33, by inserting after all of said line the following:

"**Section 2. 1. As used in this section, the following terms shall mean:**

(1) "Child", a person who is less than six years old, who receives no public assistance, and for whom the taxpayer claiming a credit pursuant to this section, or the taxpayer's spouse, has a legal obligation to support;

(2) "Child care", providing the majority of the supervision, instruction and care received by a child during an average day;

(3) "Qualified spouse", a person who is married to the taxpayer claiming a credit pursuant to this section, who is not employed in a trade or business and who is not providing any services for hire, who receives no public assistance and who provides child care to such person's, or to the taxpayer's, child.

2. A resident individual taxpayer who receives no public assistance and whose child, or whose spouse's child, receives child care from a qualified spouse shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to one thousand two hundred and fifty dollars.

3. The tax credit allowed by this section shall be claimed by the taxpayer in the tax year in which the qualified spouse provided the taxpayer's child, or such spouse's child, with child care and shall be claimed at the time the taxpayer files a tax return. Where the amount of the credit exceeds tax liability, the difference between the credit and the tax liability shall be returned to the taxpayer as a tax refund.

4. Any taxpayer claiming a credit pursuant to this section shall file as part of the taxpayer's return an affidavit signed by the taxpayer's spouse attesting to being a qualified spouse pursuant to this section.

5. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

Section A. Sections 1 and 2 of this act shall become effective on January 1, 1999, and shall apply to all taxable years beginning after December 31, 1998.".

Representative Kreider offered House Substitute Amendment No. 1 for House Amendment

No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Bill No. 1258, Page 1, In the Title, Line 2, by inserting immediately after the word "facilities" the following: ", with an effective date for certain sections"; and

Further amend said bill, Page 2, Section 1, Line 33, by inserting immediately after all of said line the following:

"**Section 2. 1. A taxpayer who is allowed a federal income tax credit pursuant to section 21 of the Internal Revenue Code, as amended, for the taxpayer's expenses for household and dependent care services necessary for gainful employment shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to one hundred percent of the allowable federal income tax credit.**

2. The tax credit allowed by this section shall be claimed by the taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143, RSMo, after all other credits provided by law have been applied. Where the amount of the credit exceeds the tax liability, the difference between the credit and the tax liability shall not be refunded to the taxpayer or carried forward into any subsequent taxable year.

3. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

Section 3. 1. As used in this section, the following terms shall mean:

(1) "Child", a person who is less than six years old, who receives no public assistance, and for whom the taxpayer claiming a credit pursuant to this section, or the taxpayer's spouse, has a legal obligation to support;

(2) "Child care", providing the majority of the supervision, instruction and care received by a child during an average day;

(3) "Qualified spouse", a person who is married to the taxpayer claiming a credit pursuant to this section, who is not employed in a trade or business and who is not providing any services for hire, who receives no public assistance and who provides child care to such person's, or to the taxpayer's, child.

2. A resident individual taxpayer who receives no public assistance and whose child, or whose spouse's child, receives child care from a qualified spouse shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to four hundred dollars.

3. The tax credit allowed by this section shall be claimed by the taxpayer in the tax year in which the qualified spouse provided the taxpayer's child, or such spouse's child, with child care and shall be claimed at the time the taxpayer files a tax return. Where the amount of the credit exceeds tax liability, the difference between the credit and the tax liability shall not be returned to the taxpayer as a tax refund or carried forward into any subsequent tax year.

4. Any taxpayer claiming a credit pursuant to this section shall file as part of the taxpayer's return an affidavit signed by the taxpayer's spouse attesting to being a qualified spouse pursuant to this section.

5. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

Section 4. 1. There is hereby created in the state treasury the "Tobacco Settlement Trust Fund".

2. The state treasurer shall deposit to the credit of the tobacco settlement trust fund all moneys received by the state which are the proceeds of any award or settlement resulting from a dispute between this state and any

company which manufactures or sells tobacco or tobacco products and all moneys which may be appropriated to it by the general assembly from federal or other sources. The general assembly may appropriate moneys into the fund for the purpose of funding the credit authorized in section 3 of this act.

3. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the trust fund shall not revert to the credit of the general revenue fund at the end of the biennium.

4. All moneys in the trust fund shall be expended only for the purpose of funding the income tax credit for child care service payments authorized in section 3 of this act.

5. The sole relief available to any claim made by the federal government upon the trust fund for reimbursement or indemnification shall be the remedy of restitution and any such restitution ordered to satisfy such claim shall be in an amount equal to one dollar.

6. The provisions of this section shall expire on December 31, 2023.

Section 5. 1. As used in this section, the following terms shall mean:

(1) "Child", a person who is less than five years old and for whom the taxpayer claiming a credit pursuant to this section has a legal obligation to support;

(2) "Child care services", supervision and care provided a child by a person other than the child's parent or guardian when such parent or guardian is temporarily unable to provide such supervision and care due to involvement in activities related to employment or education;

(3) "Full-time child care services", when more than seventy-five percent of the total annual qualified child care service payments are for weeks in which child care services were provided to a child for twenty hours or more;

(4) "Part-time child care services", child care services which are not full-time child care services;

(5) "Qualified child care service payments", amounts paid for child care services which were provided between January 1, 1999, and December 31, 2001, by any person, or amounts paid for child care services which were provided after December 31, 2001, either by a child care facility which is licensed pursuant to the provisions of sections 210.201 to 210.259, RSMo, or by a person or facility which meets the requirements of sections 210.201 to 210.259, RSMo, but is not licensed pursuant to the provisions of such sections.

2. An individual resident taxpayer that has made qualified child care service payments on behalf of a child shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to the qualified child care service payments actually made during the taxable year, but such credit for a taxpayer in any taxable year shall not exceed the following amounts:

(1) One thousand dollars per every child who is less than three years of age for which full-time child care services are provided or five hundred dollars per every such child for which part-time child care services are provided; or

(2) Five hundred dollars per every child who is less than five years of age for which full-time child care services are provided or two hundred fifty dollars per every such child for which part-time child care services are provided.

3. If the taxpayer has joint custody of a child for which qualified child care service payments are made, then a portion of the credit shall be allowed equal to the full credit amount otherwise allowed multiplied by the same percentage as the percentage of time for which the taxpayer has legal custody of the child. On a combined return only one spouse shall be allowed to claim the credit for any one child for which both spouses have made qualified child care service payments.

4. The tax credit allowed by this section shall be claimed by the taxpayer in the tax year in which such qualified tax payments were made and shall be claimed at the time the taxpayer files a tax return. Where the amount of the credit exceeds tax liability, the difference between the credit and the tax liability shall be returned to the taxpayer as a tax refund.

5. Any taxpayer claiming a credit pursuant to this section shall file as part of the taxpayer's return copies of receipts for the qualified child care service payments and any other documentation the director of the department of revenue determines necessary to confirm that the taxpayer has made the qualified child care service payments for which the credit is claimed. The receipts required pursuant to this subsection shall provide substantially the following information to the satisfaction of the director:

(1) The name and address of the taxpayer and child;

(2) The name and address of the child care services provider;

(3) The dates and the number of hours upon such dates for which child care services were provided in return for the payment for which the receipt is evidence; and

(4) The amount paid for which the receipt was issued.

6. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section and shall design all necessary forms. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

7. Any person falsely claiming a credit pursuant to this section shall be guilty of a class A misdemeanor.

8. The provisions of this section shall expire on December 31, 2023.

Section A. Sections 2 to 5 of this act shall become effective on January 1, 1999, and shall apply to all taxable years beginning after December 31, 1998.".

Representative Patek offered House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1

House Amendment No. 1

to

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Bill No. 1258, Page 5, Section 5, Line 17, by deleting said line and inserting in lieu thereof "child by a parent or guardian or by a person other than the child's parent or guardian when".

Representative Bland raised a point of order that House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1 is in the third degree.

The Chair ruled the point of order not well taken.

On motion of Representative Patek, House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1 was adopted by the following vote:

AYES: 076

Alter Ballard Barnett Bartelsmeyer Bennett

Berkstresser Boatright Broach Burton Champion

Chrismer Cierpiot Cooper Crawford Daniels 41

DeMarce Dolan Edwards-Pavia Elliott Enz

Evans Farnen Ford Foster Froelker

Gaskill Gaston Gibbons Graham 106 Griesheimer

Gross Hall Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Kauffman

Klindt Koller Lakin Lawson Legan

Levin Linton Lograsso Long Loudon

Marble McClelland Merideth Miller Murphy

Naeger Ostmann Patek Pouche Purgason

Reinhart Richardson Ridgeway Robirds Ross

Sallee Schwab Secrest Shields Steen

Summers Surface Townley Vogel Wannenmacher

Williams 159

NOES: 073

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Clayton Copeland Crump Daniel 42

Davis 122 Davis 63 Days Donovan Fitzwater

Foley Franklin Fritts Graham 24 Gratz

Green Gunn Hagan-Harrell Harlan Hickey

Hilgemann Hollingsworth Hoppe Hosmer Kelly 27

Kennedy Kissell Kreider Leake Liese

Luetkenhaus May 108 Mays 50 McBride McLuckie

Monaco Murray O'Toole Overschmidt Parker

Ransdall Relford Reynolds Rizzo Scheve

Schilling Scott Seigfreid Shear Shelton 57

Skaggs Smith Stokan Stroker Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 013

Akin Dougherty Heckemeyer Johnson Kasten

Kelley 47 Nordwald O'Connor Pryor Sheldon 104

Stoll Wiggins Williams 121

VACANCIES: 001

Representative Shields offered House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 1.

House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Shields offered House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 1.

House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Enz offered House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 1.

to

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Bill No. 1258, Page 3, Section 3, Line 12, by deleting the words "four hundred dollars" and replacing it with the words "seven hundred and fifty dollars per child".

Representative Enz moved that House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Kreider, House Substitute Amendment No. 1 for House Amendment No. 1, as amended, was adopted by the following vote:

AYES: 118

Alter Backer Ballard Barnett Barry 100

Bartelsmeyer Bauer Bennett Berkstresser Boatright

Bonner Broach Burton Champion Chrismer

Cierpiot Cooper Crawford Crump Daniels 41

Davis 122 DeMarce Dolan Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Griesheimer Gross Hagan-Harrell Hall Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Kauffman Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

McBride McClelland Merideth Miller Monaco

Murphy Murray Naeger O'Toole Ostmann

Overschmidt Parker Patek Pouche Purgason

Ransdall Reinhart Ridgeway Rizzo Robirds

Sallee Scheve Schwab Scott Secrest

Seigfreid Shields Skaggs Stokan Stoll

Summers Surface Thomason 163 Townley Treadway

Troupe Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wooten Mr. Speaker

NOES: 029

Auer Bartlett Bland Boucher Carter

Clayton Daniel 42 Davis 63 Days Donovan

Franklin Green Gunn Harlan Kelley 47

Legan Mays 50 McLuckie Relford Reynolds

Schilling Shear Shelton 57 Smith Stroker

Thompson 37 Thompson 72 Van Zandt Wilson

PRESENT: 000

ABSENT WITH LEAVE: 015

Akin Bray 84 Campbell Copeland Dougherty

Johnson Kasten Lograsso Nordwald O'Connor

Pryor Richardson Ross Sheldon 104 Steen

VACANCIES: 001

Representative Shields offered House Amendment No. 2.

Representative DeMarce raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hartzler (124) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 1258, Page 2, Section 1, Line 33, by inserting after all of said line the following:

"**Section 2. 1. The department of health shall establish and maintain a toll-free telephone number to provide information to persons requesting information about licensed day care providers. Information available through the toll-free number shall include, but not be limited to:**

(1) The most recent inspection report from the department of health of such licensed day care provider;

(2) A list of any violations found by the department of health from inspections within the last five years; and

(3) Any child abuse reports filed against such licensed day care provider within the last five years.

2. The department of health shall, by rule, require all licensed day care providers to prominently post information on the toll-free telephone number established in subsection 1 of this section.

3. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.".

Representative Bland raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Hartzler (124) moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 068

Alter Ballard Barnett Bartelsmeyer Bennett
Berkstresser Boatright Bonner Broach Burton
Champion Chrismer Cierpiot Cooper Crawford
Dolan Edwards-Pavia Elliott Enz Evans
Foster Froelker Gaskill Gaston Gibbons
Graham 106 Griesheimer Gross Hall Hartzler 123
Hartzler 124 Hegeman Hendrickson Hohulin Holand
Howerton Kauffman Kelley 47 Klindt Legan
Levin Linton Loudon Luetkenhaus Marble
McClelland Merideth Miller Murphy Naeger
Ostmann Patek Pouche Purgason Reinhart
Ridgeway Robirds Sallee Schwab Scott
Secrest Shields Summers Surface Townley
Vogel Wannenmacher Wooten

NOES: 075

Auer Backer Barry 100 Bartlett Bauer
Bland Boucher Bray 84 Carter Clayton
Crump Daniel 42 Davis 122 Davis 63 Days
DeMarce Donovan Farnen Fitzwater Foley
Ford Franklin Fritts Graham 24 Gratz
Green Gunn Hagan-Harrell Harlan Heckemeyer
Hickey Hilgemann Hollingsworth Hoppe Hosmer
Kelly 27 Kennedy Kreider Lakin Lawson
Leake Liese May 108 Mays 50 McBride
McLuckie Monaco Murray O'Toole Overschmidt
Parker Ransdall Relford Reynolds Rizzo
Scheve Schilling Seigfreid Shear Shelton 57
Skaggs Smith Stokan Stoll Stroker
Thomason 163 Thompson 37 Thompson 72 Troupe Van Zandt
Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 019

Akin Campbell Copeland Daniels 41 Dougherty

Johnson Kasten Kissell Koller Lograsso

Long Nordwald O'Connor Pryor Richardson

Ross Sheldon 104 Steen Treadway

VACANCIES: 1

Representative Froelker offered House Amendment No. 3.

House Amendment No. 3

AMEND House Bill No. 1258, Page 1, Section 1.1, Lines 2-3, by deleting all of said lines and inserting in lieu thereof the following:

"**(1) "Children", dependent natural, adopted or foster children, dependent stepchildren, or dependent wards;**"

On motion of Representative Froelker, House Amendment No. 3 was adopted.

Representative Shields offered House Amendment No. 4.

Representative DeMarce raised a point of order that House Amendment No. 4 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered House Amendment No. 4.

House Amendment No. 4

AMEND House Bill No. 1258, Page 1, Section 1, Line 12, by deleting the word "ten" and inserting in lieu thereof the word "fifty".

Representative Froelker moved that House Amendment No. 4 be adopted.

Which motion was defeated.

Representative Levin offered House Amendment No. 5.

Representative DeMarce raised a point of order that House Amendment No. 5 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Bland, **HB 1258, as amended,** was ordered perfected and printed.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1945, introduced by Representative Ballard, relating to funding for public schools.

HB 1946, introduced by Representative Stoll, relating to education reform.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 524**, entitled:

An act to amend chapter 143, RSMo, by adding thereto one new section relating to income tax credits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 620**, entitled:

An act to amend chapters 8 and 327, RSMo, by adding thereto twelve new sections relating to the procurement of services for state construction projects, with a termination date.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, April 2, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-fifth Day, Tuesday, March 31, 1998, page 819, line 10, by deleting on said line the following: "**HB 1767**".

Page 806, roll call, by showing Representatives Boucher, Dolan, Hollingsworth and Hosmer voting "no" rather than "absent with leave".

Pages 807 and 808, roll call, by showing Representatives Boucher, Dolan, Hosmer, Johnson, Lawson and O'Connor voting "aye" rather than "absent with leave".

Pages 807 and 808, roll call, by showing Representatives Barry and Miller voting "no" rather than "absent with leave".

Page 809, roll call, by showing Representatives Bartelsmeyer, Boucher, Campbell and Gaston voting "aye" rather than "absent with leave".

Page 812, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Page 815, roll call, by showing Representatives Davis, Klindt, Lawson and Long voting "no" rather than "absent with leave".

Page 815, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Pages 815 and 816, roll call, by showing Representatives Davis (63), Dolan, Klindt, Long and Murphy voting "aye" rather than "absent with leave".

Pages 816 and 817, roll call, by showing Representatives Davis (63), Kelly (27) and O'Connor voting "no" rather than "absent with leave".

Pages 816 and 817, roll call, by showing Representatives Dolan and Klindt voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Thursday, April 2, 1998, 8:30 am. Hearing Room 9. Possible executive

session on previously heard bills.

To be considered - HB 1038, HB 1021

CONSUMER PROTECTION

Thursday, April 2, 1998, 9:30 am. Hearing Room 7.

To be considered - Executive Session - HB 1770

EDUCATION - HIGHER

Wednesday, April 8, 1998, 12:30 pm. Hearing Room 8.

To be considered - SB 641, SB 884

ENVIRONMENT AND ENERGY

Thursday, April 2, 1998, 8:30 am. Hearing Room 6. Executive session.

To be considered - SB 739

JOINT COMMITTEE ON WETLANDS

Wednesday, April 8, 1998, 12:30 pm. Senate Committee Room 1. Big Muddy

National Fish and Wildlife Refuge presentation.U.S.Army Corps of Engineers

MUNICIPAL CORPORATIONS

Wednesday, April 8, 1998. Hearing Room 7 upon morning adjournment.

To be considered - SB 629

PROFESSIONAL REGISTRATION & LICENSING

Thursday, April 2, 1998, 9:15 am. Room 401. Executive session.

SUB-COMMITTEE ON HIGHER EDUCATION

Thursday, April 2, 1998, 9:00 am. Room 229. (State Treasurer's conference room)

To be considered - HB 1796

UTILITIES REGULATION

Thursday, April 2, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1904, SB 561

HOUSE CALENDAR

Forty-seventh Day, Thursday, April 2, 1998

HOUSE BILLS FOR SECOND READING

HB 1945 and HB 1946

HOUSE BILLS FOR PERFECTION

1 HCS HB 977 & 1608 - Shelton (57)

2 HCS HB 1237, 1409, 1166, 1154 & 1491 - Luetkenhaus

3 HCS HB 1405, 1109 & 1335 - Smith

4 HCS HB 972 & 1310 - Dougherty

5 HCS HB 1799 - Stroker

6 HCS HB 1537 - Troupe

7 HCS HB 1317 - Fritts

8 HB 1876 - Leake

9 HCS HB 1510 - Campbell

10 HB 1126, HCA 1 - Thomason (163)

11 HCS HB 1265 - Kreider

12 HB 893, HCA 1 - Backer

13 HCS HB 1674 - Rizzo

14 HB 1564 - Relford

15 HCS HB 1737 & 1345 - Riback Wilson

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(March 26, 1998)

1 HB 1905 - Kreider

(March 30, 1998)

2 HB 1907 - Lakin

3 HB 1918 - Lograsso

4 HB 1928 - Parker

5 HB 1600 - Williams (159)

6 HB 1102 - Ostmann

7 HB 1610 - Summers

(April 2, 1998)

8 HB 1856 - Hosmer

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 1013 - Green

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HCS HB 1038, (Budget Fiscal 3-30-98) - Carter

3 HS HCS HB 1636 - Hoppe

4 HS HCS HB 1198, (Budget Fiscal 4-1-98) - Auer

5 HCS HB 1189 - Liese

6 HS HCS HB 1656 - Bray

7 HS HCS HB 971, (Budget Fiscal 4-1-98) - Smith

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1837 - Hollingsworth

2 HB 1578 - Hilgemann

3 HB 1476 - Scheve

4 HB 1117 - Kreider

5 HB 1622 - Fritts

6 HB 948 - Long

7 HB 1627 - Green

8 HB 1834 - Stoll

9 HB 1698 - Hosmer

10 HB 1385 - Summers

11 HB 1779 - Riback Wilson

12 HB 1807 - Bartelsmeyer

13 HB 1847 - Kreider

14 HB 1862 - Crawford

15 HB 1043 - Gross

16 HB 1136 - Stokan

17 HB 1668 - Hosmer

SENATE BILLS FOR SECOND READING

SCS SB 524

SS SB 620

SENATE BILL FOR THIRD READING - CONSENT

(March 25, 1998)

SCS SB 707 & 484, E.C. - Scheve

HOUSE CONCURRENT RESOLUTION

HCR 10, (March 31, 1998, pgs. 819 & 820) - Crump

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

COURTESY RESOLUTIONS

HR 468 - Donovan

HR 469 - Williams (159)

HR 470 - Fritts

HR 471 - Scott

HR 472 - Farnen

HR 473 - Treadway

HR 474 - Overschmidt

HR 475 - Hartzler (123)

HR 476 - Richardson

HR 477 - Harlan

HR 478 - Hoppe

HR 479 through HR 483 - Reinhart

HR 484 - Williams (159)

HR 485 through HR 487 - Richardson

HR 488 - Sallee

HR 489 - Bonner

HR 490 - Howerton

HR 491 - Linton

HR 492 - Dougherty

HR 493, through HR 495 - Gaw

HR 496 - Ross

HR 497 - Vogel

HR 498 and HR 499 - Ross

HR 500 - Bennett

HR 501 - Murray

HR 502 - Green

HR 503 - Townley

HR 504 through HR 517 - Hendrickson

HR 518 through HR 530 - McClelland

HR 531 through HR 544 - Murphy

HR 545 through HR 551 - McClelland

HR 552 through HR 565 - Murphy

HR 566 through HR 579 - Enz

HR 580 through HR 596 - Murphy

HR 597 through HR 610 - Hendrickson

HR 611 through HR 641 - Murphy

HR 642 - Dolan

HR 643 - Boucher

HR 644 and HR 645 - Luetkenhaus

HR 647 through HR 649 - Gaw

HR 650 - Miller

HR 651 - Lawson

HR 652 through HR 663 - Purgason

HR 664 - Robirds

HR 665 - Sallee

HR 666 and HR 667 - Elliott

HR 668 - Surface

HR 669 - Holand

HR 670 and HR 671 - Monaco

HR 672 through HR 682 - Williams (121)

HR 683 - Backer

HR 685 - Ballard

HR 686 - Gratz

HR 687 - Franklin

HR 688 and HR 689 - Hagan-Harrell

HR 690 - Townley

HR 691 - Summers

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House Journal

Second Regular Session, 89th General Assembly

FORTY-SEVENTH DAY, Thursday, April 2, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Sovereign God, do not let us be ashamed to stand with heads and hearts bowed for a few brief moments this morning, as we come to You in prayer. Let us recognize our need for Your guidance in all that we do and say.

We pray for the members of this body who need the healing ministry of the Great Physician and for their loved ones who are struggling in illness or grief.

We pray for the public good this day. Let us not allow private passion or petty interest to dictate our actions; let the responsibility of freedom be acknowledged as a stewardship of concern for those in need; let our service to the people of this state be a test of honor and justice. Help us so that we don't let the busy-ness of earning a living keep us from the business of living a worthwhile life.

O God, we pray for the good of this state, for all her people, and for all of us as Your children. Bless those in this House and all who work to uphold the sacred duty of this state's government and grant them a weekend of well-deserved rest. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Rachel Bredemann, Jack Bredemann, Steven Bredemann, Andrew Bredemann, Lindsay Farris, Logan Hanschen, Jody Emily, Robert Dawson, Jill Weissgerber, Mallory Karigan, Sarah Schultz, Scott Wiegert, Heather Hayes, Bethany Noble, Brian Wiese, Matthew Fraley, Sara Howell, Tinesha Moten, Joshua LeVere, Jason Berra, Tommy Manning, Angie Woodson, Laura Weilbaecher, Matthew Harms, Ryan Mughal, Alex Chladek, Gregory Ellis Hirsch, Tricia Haldiman, Jeremy Haldiman and Patrick Lybyer.

The Journal of the forty-sixth day was approved as corrected.

RESOLUTIONS

Representative Naeger offered House Resolution No. 715 through House Resolution No. 717, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Troupe offered House Resolution No. 718, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reinhart offered House Resolution No. 719 through House Resolution No. 730, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Seigfreid offered House Resolution No. 731, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution No. 732, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wooten offered House Resolution No. 733, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Parker, et al, offered House Concurrent Resolution No. 24.

SECOND READING OF HOUSE BILLS

HB 1945 and **HB 1946** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 524 and **SS SB 620** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HB 1656 - Budget (Fiscal Note)

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SB 861 - Transportation

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1441, 937 & 1795**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 156

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Shear Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 001

Lograsso

ABSENT WITH LEAVE: 005

Copeland Dougherty Kasten Nordwald Vogel

VACANCIES: 001

COURTESY RESOLUTIONS

House Resolution No. 468 through House Resolution No. 645 and House Resolution No. 647 through House Resolution No. 683 and House Resolution No. 685 through House Resolution No. 691 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution No. 468 through House Resolution No. 645 and House Resolution No. 647 through House Resolution No. 683 and House Resolution No. 685 through House Resolution No. 691 were adopted.

THIRD READING OF HOUSE BILLS

HCS HB 1189, relating to credit transactions, was taken up by Representative Liese.

On motion of Representative Liese, **HCS HB 1189** was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Chrismer Cierpiot Clayton Cooper Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 72 Townley Treadway

Troupe Van Zandt Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Bauer Champion Copeland Crawford Dougherty

Fritts Kasten Linton Lograsso Murphy

Nordwald Thompson 37 Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Lakin, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Hickey moved that motion lay on the table.

The latter motion prevailed.

HS HCS HB 1636 , relating to community improvement, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HS HCS HB 1636** was read the third time and passed by the following vote:

AYES: 141

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Long May 108 Mays 50
McBride McClelland McLuckie Miller Monaco
Murray Naeger O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Shear Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Treadway Troupe Van Zandt
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten

NOES: 012

Akin Ballard Chrismer Ford Hall
Hohulin Kauffman Linton Lograsso Loudon
Marble Merideth

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Dougherty Kasten Luetkenhaus Murphy
Nordwald Townley Vogel Mr. Speaker

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Green, title to the bill was agreed to.

Representative O'Connor moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1837, relating to property tax, was taken up by Representative Hollingsworth.

On motion of Representative Hollingsworth, **HB 1837** was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Edwards-Pavia Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Griesheimer Gross
Gunn Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Hollingsworth Hoppe Hosmer
Howerton Johnson Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Shear Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 001

Elliott

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland Dougherty Green Holand Kasten

Murphy Nordwald Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Days, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

HB 1578, relating to museum subdistricts, was taken up by Representative Hilgemann.

On motion of Representative Hilgemann, **HB 1578** was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartlett Copeland Dougherty Kasten Long

Nordwald Vogel

VACANCIES: 001

Spealer Gaw declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Stoll moved that the vote by which the bill passed be reconsidered.

Representative Skaggs moved that motion lay on the table.

The latter motion prevailed.

HB 1476, relating to elderly home delivered meals trust fund, was taken up by Representative Scheve.

On motion of Representative Scheve, **HB 1476** was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Shear Sheldon 104 Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Troupe Van Zandt
Wannenmacher Wiggins Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Copeland Dougherty Kasten Nordwald Vogel
Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

HB 1117, relating to sales tax, was taken up by Representative Kreider.

On motion of Representative Kreider, **HB 1117** was read the third time and passed by the following vote:

AYES: 123

Alter Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Boatright Bonner Boucher Broach
Burton Campbell Carter Champion Clayton
Cooper Crawford Crump Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Edwards-Pavia Enz Evans Farnen Fitzwater
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Green Gunn Hagan-Harrell Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hickey Hilgemann
Hohulin Holand Hollingsworth Howerton Johnson
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Linton Lograsso Long Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murray Naeger
O'Toole Ostmann Overschmidt Parker Pouche
Pryor Purgason Ransdall Reynolds Richardson
Rizzo Robirds Ross Scheve Schilling
Schwab Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Smith Stoll
Stroker Summers Surface Thomason 163 Thompson 72
Townley Treadway Van Zandt Wannenmacher Williams 159
Wilson Wooten Mr. Speaker

NOES: 013

Akin Chrismer Cierpiot Elliott Gross
Hall Hendrickson Kauffman Levin Loudon
Murphy Reinhart Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 026

Bland Bray 84 Copeland Daniel 42 Dougherty
Foley Gratz Griesheimer Hoppe Hosmer
Kasten Legan Liese Nordwald O'Connor
Patek Relford Sallee Scott Steen
Stokan Thompson 37 Troupe Vogel Wiggins
Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Parker moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

HB 1622, relating to public water districts, was taken up by Representative Fritts.

On motion of Representative Fritts, **HB 1622** was read the third time and passed by the following vote:

AYES: 143

Alter Auer Backer Ballard Barnett
Bartelsmeyer Bartlett Bauer Bennett Berkstresser
Bland Boatright Bonner Boucher Bray 84
Broach Burton Carter Champion Chrismer
Clayton Cooper Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce

Donovan Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hoppe Hosmer Howerton

Johnson Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 008

Akin Froelker Gross Hall Linton

Lograsso Murphy Pouche

PRESENT: 000

ABSENT WITH LEAVE: 011

Barry 100 Campbell Cierpiot Copeland Dolan

Dougherty Hollingsworth Kasten Nordwald Shear

Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Stroker, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

HB 948, relating to Route 66, was taken up by Representative Long.

On motion of Representative Long, **HB 948** was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Shear Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Wannenmacher

Wiggins Williams 121 Williams 159 Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Copeland Dougherty Kasten Murphy Nordwald

Vogel Wilson

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative Bland moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

HB 1627, relating to education sessions for parties in a dissolution of marriage, was taken up by Representative Green.

On motion of Representative Green, **HB 1627** was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Shear Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Copeland Dougherty Kasten Levin Nordwald
Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Wiggins moved that the vote by which the bill passed be reconsidered.

Representative Campbell moved that motion lay on the table.

The latter motion prevailed.

HB 1834, relating to judicial circuits, was taken up by Representative Stoll.

On motion of Representative Stoll, **HB 1834** was read the third time and passed by the following vote:

AYES: 136

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bauer Bennett

Berkstresser Bland Bonner Boucher Bray 84

Broach Campbell Carter Champion Cierpiot

Clayton Cooper Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Elliott Enz Farnen

Fitzwater Foley Ford Franklin Fritts

Froelker Gaskill Gaston Graham 24 Gratz

Green Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Lograsso Loudon

Luetkenhaus May 108 Mays 50 McClelland McLuckie

Merideth Monaco Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 021

Bartelsmeyer Boatright Burton Chrismer Edwards-Pavia

Evans Foster Gibbons Graham 106 Griesheimer

Hohulin Linton Long Marble McBride

Miller Murphy Pouche Pryor Surface

Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 005

Copeland Dougherty Kasten Nordwald Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Johnson, title to the bill was agreed to.

Representative Hoppe moved that the vote by which the bill passed be reconsidered.

Representative Heckemeyer moved that motion lay on the table.

The latter motion prevailed.

HB 1385, relating to public water districts, was taken up by Representative Summers.

On motion of Representative Summers, **HB 1385** was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Sheldon 104
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland Dougherty Green Kasten Nordwald
Seigfreid Shear Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Stokan, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Riback Wilson moved that motion lay on the table.

The latter motion prevailed.

HB 1779, relating to rape, was taken up by Representative Riback Wilson.

On motion of Representative Riback Wilson, **HB 1779** was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Monaco Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Scott Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland Dougherty Kasten Miller Murphy

Nordwald Schwab Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Treadway, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Parker moved that motion lay on the table.

The latter motion prevailed.

HB 1807, relating to third class cities, was taken up by Representative Bartelsmeyer.

On motion of Representative Bartelsmeyer, **HB 1807** was read the third time and passed by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Cooper
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Edwards-Pavia Elliott Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murray Naeger O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Townley
Treadway Troupe Van Zandt Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Clayton

ABSENT WITH LEAVE: 011

Copeland Dougherty Enz Kasten Murphy
Nordwald Schwab Shear Steen Thompson 72
Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Bauer moved that the vote by which the bill passed be reconsidered.

Representative Kennedy moved that motion lay on the table.

The latter motion prevailed.

HB 1847, relating to fire protection district audits, was taken up by Representative Kreider.

On motion of Representative Kreider, **HB 1847** was read the third time and passed by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard
Barnett Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Edwards-Pavia
Elliott Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McLuckie Merideth

Miller Monaco Murray Naeger O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Scott Secrest Seigfreid Shear Sheldon 104
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Treadway Troupe
Van Zandt Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 001

Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 013

Barry 100 Bonner Copeland Dougherty Enz
Hohulin Kasten McClelland Murphy Nordwald
Schwab Townley Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Clayton, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Bartlett moved that motion lay on the table.

The latter motion prevailed.

HB 1862, relating to land surveyors, was taken up by Representative Crawford.

On motion of Representative Crawford, **HB 1862** was read the third time and passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Carter

Champion Chrismer Cierpiot Cooper Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Edwards-Pavia
Elliott Evans Farnen Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kauffman Kelley 47 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murray Naeger O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Troupe Van Zandt
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 006

Campbell Clayton Fitzwater Green Kelly 27
Shear

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Dougherty Enz Kasten Murphy
Nordwald Schwab Stroker Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hosmer, title to the bill was agreed to.

Representative Johnson moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

HB 1043, relating to disclosure of social secruity number, was taken up by Representative Gross.

On motion of Representative Gross, **HB 1043** was read the third time and passed by the following vote:

AYES: 146

Akin Alter Auer Backer Ballard
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Edwards-Pavia
Elliott Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murray Naeger O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Scott Secrest Seigfreid Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Wannenmacher Wiggins Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnett Copeland Donovan Dougherty Enz

Froelker Heckemeyer Kasten Lawson Murphy

Nordwald Schwab Shear Sheldon 104 Vogel

Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hollingsworth, title to the bill was agreed to.

Representative Hilgemann moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

MOTION

Representative Thompson (37), having voted on the prevailing side, moved that the vote by which **HS HCS HB 1323** was third read and defeated be reconsidered.

Which motion was adopted by the following vote:

AYES: 087

Akin Auer Barry 100 Bartlett Bauer

Bennett Bland Bonner Boucher Bray 84

Broach Carter Cierpiot Cooper Crump

Daniel 42 Davis 63 Days Dolan Donovan

Evans Farnen Foley Ford Foster

Franklin Graham 24 Green Gunn Hagan-Harrell

Hall Harlan Heckemeyer Hendrickson Hickey

Hilgemann Hollingsworth Hoppe Hosmer Johnson

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Kreider Lakin Lawson Levin Liese

Linton Lograsso Loudon May 108 Mays 50

McClelland McLuckie Monaco Murphy Murray

O'Connor O'Toole Ostmann Pouche Ransdall

Reynolds Rizzo Ross Scheve Schilling

Secrest Shear Sheldon 104 Shelton 57 Stokan

Stoll Stroker Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 062

Alter Backer Ballard Barnett Bartelsmeyer

Berkstresser Boatright Burton Champion Clayton

Crawford Daniels 41 Davis 122 DeMarce Elliott

Enz Fitzwater Fritts Froelker Gaskill

Gaston Graham 106 Gratz Griesheimer Gross

Hartzler 123 Hartzler 124 Hohulin Holand Howerton

Klindt Koller Leake Legan Long

Marble Merideth Miller Naeger Overschmidt

Parker Patek Pryor Purgason Reinhart

Relford Richardson Ridgeway Robirds Sallee

Scott Seigfreid Shields Skaggs Smith

Steen Summers Surface Thomason 163 Townley

Wannenmacher Wooten

PRESENT: 005

Campbell Gibbons Hegeman Luetkenhaus McBride

ABSENT WITH LEAVE: 008

Chrismer Copeland Dougherty Edwards-Pavia Kasten

Nordwald Schwab Vogel

VACANCIES: 001

Representative Green moved that **HS HCS HB 1323** be third read and passed.

Representative Richardson made a substitute motion that having voted on the prevailing side, the vote by which **HS HCS HB 1323** was ordered perfected and printed be reconsidered and **Rule 81** be suspended.

The substitute motion was withdrawn.

HS HCS HB 1323 was placed on the House Bills for Third Reading Informal Calendar.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1136, relating to nursing homes, was taken up by Representative Stokan.

On motion of Representative Stokan, **HB 1136** was read the third time and passed by the following vote:

AYES: 124

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bauer Bennett
Berkstresser Bland Bonner Bray 84 Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Cooper Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Enz Evans Farnen Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Green
Griesheimer Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Hendrickson Hickey Hilgemann Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kauffman
Kelley 47 Kennedy Kissell Kreider Lakin
Leake Legan Levin Linton Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murray Naeger O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Ridgeway Rizzo Ross Sallee
Scheve Schilling Secrest Shear Sheldon 104
Shelton 57 Shields Skaggs Smith Stokan
Stoll Stroker Summers Thomason 163 Thompson 37
Thompson 72 Treadway Troupe Van Zandt Wiggins
Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 016

Boatright Clayton Crawford Elliott Fitzwater
Gratz Gross Heckemeyer Hegeman Hohulin
Kelly 27 Koller Robirds Scott Seigfreid
Townley

PRESENT: 000

ABSENT WITH LEAVE: 022

Bartlett Boucher Copeland Crump Dougherty
Edwards-Pavia Gunn Hall Kasten Klindt
Lawson Liese Lograsso Murphy Nordwald
Richardson Schwab Steen Surface Vogel
Wannenmacher Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

Representative Scheve assumed the Chair.

HB 1668, relating to emergency services, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1668** was read the third time and passed by the following vote:

AYES: 145

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Griesheimer Gross Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Scott Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Smith Stokan

Stroker Summers Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Boucher Copeland Dougherty Edwards-Pavia Green

Gunn Hall Kasten Liese Murphy

Nordwald Schwab Steen Stoll Surface

Vogel Wooten

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Crump moved that the vote by which the bill passed be reconsidered.

Representative Stroker moved that motion lay on the table.

The latter motion prevailed.

HB 1698, relating to fire protection districts, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1698** was read the third time and passed by the following vote:

AYES: 135

Alter Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Enz
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Graham 106 Graham 24 Gratz Griesheimer Hagan-Harrell
Harlan Hartzler 123 Hartzler 124 Hegeman Hendrickson
Hickey Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Linton Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murray
Naeger O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Rizzo
Robirds Ross Sallee Scheve Schilling
Scott Secrest Seigfreid Shear Sheldon 104
Shelton 57 Shields Skaggs Smith Stokan
Stoll Stroker Summers Thomason 163 Thompson 37
Thompson 72 Townley Treadway Troupe Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 009

Akin Boatright Elliott Evans Gross

Lograsso Murphy Pouche Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 018

Copeland Dougherty Edwards-Pavia Gibbons Green
Gunn Hall Heckemeyer Hilgemann Kasten
Liese Nordwald Schwab Steen Surface
Van Zandt Vogel Wooten

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Fritts moved that the vote by which the bill passed be reconsidered.

Representative Campbell moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 1013, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1013** was read the third time and passed by the following vote:

AYES: 143

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Holand
Hollingsworth Hoppe Hosmer Howerton Johnson

Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Miller
Monaco Murphy Murray Naeger O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Scott
Secrest Seigfreid Shear Sheldon 104 Shelton 57
Shields Skaggs Smith Stokan Stoll
Stroker Summers Thomason 163 Thompson 37 Thompson 72
Townley Troupe Van Zandt Wannenmacher Williams 121
Williams 159 Wilson Mr. Speaker

NOES: 003

Froelker Hohulin Merideth

PRESENT: 000

ABSENT WITH LEAVE: 016

Copeland Dougherty Edwards-Pavia Gunn Hall
Kasten Liese Nordwald Pryor Schwab
Steen Surface Treadway Vogel Wiggins
Wooten

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Koller moved that the vote by which the bill passed be reconsidered.

Representative Kissell moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider assumed the Chair.

THIRD READING OF SENATE BILL - CONSENT

SCS SBs 707 & 484, relating to tax increment financing, was taken up by Representative Scheve.

On motion of Representative Scheve, **SCS SBs 707 & 484** was truly agreed to and finally passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Johnson Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Stokan Stoll Stroker Summers Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Wannenmacher Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 014

Copeland Dougherty Edwards-Pavia Gunn Hall
Howerton Kasten Liese Nordwald Schwab
Steen Surface Vogel Wooten

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 111

Auer Backer Barry 100 Bartlett Bauer
Bennett Berkstresser Bland Bonner Boucher
Bray 84 Burton Campbell Carter Champion
Clayton Cooper Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Farnen Fitzwater Foley
Franklin Fritts Gaskill Gaston Graham 106
Graham 24 Gratz Green Griesheimer Hagan-Harrell
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hendrickson
Hickey Hilgemann Hollingsworth Hoppe Hosmer
Johnson Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Koller Kreider Lakin Lawson
Leake Legan Liese Long Luetkenhaus
May 108 Mays 50 McBride McClelland McLuckie
Miller Monaco Murray O'Connor O'Toole
Ostmann Overschmidt Parker Patek Ransdall
Reinhart Relford Reynolds Richardson Rizzo
Robirds Ross Sallee Scheve Schilling
Secrest Seigfreid Sheldon 104 Shelton 57 Skaggs
Smith Stokan Stoll Stroker Thomason 163
Thompson 37 Thompson 72 Townley Treadway Van Zandt
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Mr. Speaker

NOES: 037

Akin Alter Ballard Barnett Bartelsmeyer

Boatright Broach Chrismer Cierpiot Elliott

Enz Evans Foster Froelker Gibbons

Gross Hegeman Hohulin Holand Howerton

Klindt Levin Linton Lograsso Loudon

Marble Merideth Murphy Naeger Pouche

Pryor Purgason Ridgeway Scott Shields

Summers Troupe

PRESENT: 000

ABSENT WITH LEAVE: 014

Copeland Dougherty Edwards-Pavia Ford Gunn

Hall Kasten Nordwald Schwab Shear

Steen Surface Vogel Wooten

VACANCIES: 001

On motion of Representative Bray, title to the bill was agreed to.

Representative Luetkenhaus moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1905**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 987**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1443**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Social Services, Medicaid and the Elderly, Chairman Gunn reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 925**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1684**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1202**, begs leave to report it has examined the same and recommends that it **Do Pass.**

LETTER OF OBJECTION

April 2, 1998

Ms. Anne Walker, Chief Clerk

House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Ms. Walker:

Please find here five signatures pursuant to Rule 48(b) of the 89th General Assembly Rules of the House. Our signatures here indicate our position that House Bill 1610 shall not be a consent bill.

/s/ Representative Craig Hosmer Dist. 138

/s/ Representative Don Kissell Dist. 17

/s/ Representative Bill Alter Dist. 90

/s/ Representative Glenn Hall Dist. 56

/s/ Representative James O'Toole Dist. 68

COMMITTEE CHANGE

The Speaker submitted the following committee change:

Representative Lakin has been appointed to the Missouri Consolidated Health Care Plan Committee.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 614, 696, 906, 530, 912 & 914**, entitled:

An act to repeal sections 138.430, 196.790, 426.220, 426.230, 476.682, 478.265, 478.266, 478.267, 478.320, 478.437, 534.350, 534.360 and 535.110, RSMo 1994, and sections 105.464, 478.464, 479.500, 487.020, 488.012, 488.015, 514.040, 534.380 and 535.030, RSMo Supp. 1997, and to enact in lieu thereof twenty-six new sections relating to the judiciary.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 800**, entitled:

An act to repeal section 141.750, RSMo 1994, relating to delinquent taxes, and to enact in lieu thereof one new

section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SJR 24**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 37(e) of article III of the Constitution of Missouri relating to powers of the legislature by adding thereto three new sections relating to the issuance of bonds for water pollution and stormwater control.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, April 6, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-Sixth Day, Wednesday, April 1, 1998, pages 829 and 830, roll call, by showing Representative Murphy voting "aye" rather than "absent with leave".

Pages 830 and 831, roll call, by showing Representative Patek voting "aye" rather than "absent with leave".

Pages 832 and 833, roll call, by showing Representative Davis (63) voting "aye" rather than "absent with leave".

Pages 835 and 836, roll call, by showing Representatives Barry and Davis (63) voting "aye" rather than "absent with leave".

Pages 835 and 836, roll call, by showing Representative Murphy voting "no" rather than "absent with leave".

Page 836, roll call, by showing Representatives Enz and Parker voting "aye" rather than "absent with leave".

Pages 837 and 838, roll call, by showing Representatives Enz and Klindt voting "aye" rather than "absent with leave".

Page 839, roll call, by showing Representative Foley voting "aye" rather than "absent with leave".

Page 841, roll call, by showing Representatives Champion, Scott and Shields voting "aye" rather than "absent with leave".

Page 842, roll call, by showing Representative Murphy voting "aye" rather than "absent with leave".

Page 843, roll call, by showing Representative Foley voting "aye" rather than "absent with leave".

Pages 844 and 845, roll call, by showing Representative Naeger voting "aye" rather than "absent with leave".

Pages 849 and 850, roll call, by showing Representative Kelley (47) voting "aye" rather than "absent with leave".

Pages 851 and 852, roll call, by showing Representatives Campbell, Richardson and Ross voting "aye" rather than "absent with leave".

Pages 852 and 853, roll call, by showing Representatives Campbell and Ross voting "no" rather than "absent with leave".

Pages 852 and 853, roll call, by showing Representatives Kissell, Long and Richardson voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Monday, April 6, 1998, 8:00 pm. Hearing Room 8. Executive session may follow.

To be considered - HB 1895, SB 945

BUDGET

Monday, April 6, 1998, 2:00 pm. Hearing Room 9. Executive session on

previously heard bills.

BUDGET

Tuesday, April 7, 1998, 8:30 am. Hearing Room 9. Possible executive

session on previously heard bills.

To be considered - HB 1656, HB 971, HB 1198

CHILDREN, YOUTH AND FAMILIES

Tuesday, April 7, 1998, 8:30 am. Hearing Room 1 and 2. Adoption bills executive session.

To be considered - HB 1637, SB 674

CHILDREN, YOUTH AND FAMILIES

Wednesday, April 8, 1998, 7:30 pm. Hearing Room 8. Possible executive session.

To be considered - SB 961

CRITICAL ISSUES

Monday, April 6, 1998, 8:00 pm. Hearing Room 6.

To be considered - SB 588, SB 754, SB 525, SB 870

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 7, 1998. Hearing Room 8 upon morning adjournment.

To be considered - SB 753, SB 947, Executive Session - SB 488, Executive Session - SB 553

EDUCATION - HIGHER

Wednesday, April 8, 1998, 12:30 pm. Hearing Room 8.

To be considered - SB 641, SB 884

INSURANCE

Tuesday, April 7, 1998, 8:00 am. Hearing Room 8. Executive session may follow.

To be considered - HCR 12, SB 722

JOINT COMMITTEE ON WETLANDS

Wednesday, April 8, 1998, 12:30 pm. Senate Committee Room 1. Big Muddy

National Fish and Wildlife Refuge presentation.U.S.Army Corps of Engineers

JUDICIARY

Tuesday, April 7, 1998. Hearing Room 5 upon morning adjournment.

Executive session may follow.

To be considered - HB 1375, HB 1567, SB 657

MOTOR VEHICLE & TRAFFIC REGULATIONS

Tuesday, April 7, 1998, 1:00 pm. Hearing Room 7.

Executive session may follow.

To be considered - SB 518

MUNICIPAL CORPORATIONS

Wednesday, April 8, 1998. Hearing Room 7 upon morning adjournment.

To be considered - SB 629

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Tuesday, April 7, 1998, 9:15 am. Hearing Room 7.

Executive Session will follow.

To be considered - HB 1610

TOURISM, RECREATION AND CULTURAL AFFAIRS

Tuesday, April 7, 1998, 9:30 am. Hearing Room 6. Executive session may follow.

To be considered - SB 820

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, April 6, 1998, 8:00 pm. Hearing Room 5.

To be considered - SB 922, SB 839

HOUSE CALENDAR

Forty-eighth Day, Monday, April 6, 1998

HOUSE BILLS FOR PERFECTION

1 HCS HB 977 & 1608 - Shelton (57)

2 HCS HB 1237, 1409, 1166, 1154 & 1491 - Luetkenhaus

3 HCS HB 1405, 1109 & 1335 - Smith

4 HCS HB 972 & 1310 - Dougherty

5 HCS HB 1799 - Stroker

6 HCS HB 1537 - Troupe

7 HCS HB 1317 - Fritts

8 HB 1876 - Leake

9 HCS HB 1510 - Campbell

10 HB 1126, HCA 1 - Thomason (163)

11 HCS HB 1265 - Kreider

12 HB 893, HCA 1 - Backer

13 HCS HB 1674 - Rizzo

14 HB 1564 - Relford

15 HCS HB 1737 & 1345 - Riback Wilson

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(March 30, 1998)

1 HB 1907 - Lakin

2 HB 1918 - Lograsso

3 HB 1928 - Parker

4 HB 1600 - Williams (159)

5 HB 1102 - Ostmann

(April 2, 1998)

6 HB 1856 - Hosmer

(April 6, 1998)

7 HB 987 - Richardson

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HCS HB 1038, (Budget Fiscal 3-30-98) - Carter

3 HS HCS HB 1198, (Budget Fiscal 4-1-98) - Auer

4 HS HCS HB 1656, (Budget Fiscal 4-2-98) - Bray

5 HS HCS HB 971, (Budget Fiscal 4-1-98) - Smith

6 HS HCS HB 1441, 937 & 1795 - Luetkenhaus

7 HB 1258 - Bland

HOUSE BILL FOR THIRD READING - INFORMAL

HS HCS HB 1323 - Green

HOUSE BILL FOR THIRD READING - CONSENT

HB 1905 - Kreider

SENATE JOINT RESOLUTION FOR SECOND READING

SCS SJR 24

SENATE BILLS FOR SECOND READING

SCS SB 614, 696, 906, 530, 912 & 914

SB 800

HOUSE CONCURRENT RESOLUTION

HCR 10, (March 31, 1998, pgs. 819 & 820) - Crump

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford


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House Journal

Second Regular Session, 89th General Assembly

FORTY-EIGHTH DAY, Monday, April 6, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"So Moses went up to the Lord and said, 'this people has committed a grave sin...if only You would forgive their sin.' " (Ex. 32:31).

The Christian world begins Holy Week, the Muslim world began its Hajj, the sacred pilgrimage to Mecca last week and the Jewish world will begin Passover on Saturday.

It is a week that the major faiths acknowledge personal sin and claim Your mercy O God. We pray in a special way for the nation at this sacred season as we struggle with the complicated world we deal with as instant media coverage and the smallness of the globe is ever more evident.

Lies, deceit, propaganda, the presence of spin doctors, accusations and counter-accusations and the speculations, leaks and misuse of the canons of sound journalism are tossed around so freely by all of us for so many different reasons. We struggle as a society with trying to find some human explanation for the evil of youngsters doing more and more evil things. Teach us gracious God to say I did it, I am sorry, I ask and I offer forgiveness. Help us avoid the extremes of passing judgment on others which is not ours to pass and substituting a false language of pop-psychology and rationalization to cloak the presence of sin, while realizing that some factors help us explain some of the evil such as mental defect, chemical disorders and unstable relationships. Above all, let us not be deceived by the tribunal of our own conscience where we cannot hide from ourselves or from You, our Sovereign, who offers mercy if we acknowledge the sin. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Melinda Giesler, Amy Steffens, Kristen Dalhoff, Nate Hoffman, Elliott Kehoe, Kristen McGrath and Megan Gross.

The Journal of the forty-seventh day was approved as corrected.

RESOLUTIONS

Representative Farnen offered House Resolution No. 734, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution No. 735, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 736 and House Resolution No. 737, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Dolan offered House Resolution No. 738, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 739, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 740 through House Resolution No. 742, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gratz and Vogel offered House Resolution No. 743, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF SENATE JOINT RESOLUTION

SCS SJR 24 was read the second time.

SECOND READING OF SENATE BILLS

SCS SBs 614, 696, 906, 530, 912 & 914 and **SB 800** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1258**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HB 1038 (Fiscal Note)**, begs leave to report it has been furnished a corrected fiscal note and does not require Budget Committee fiscal review.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1258 - Budget (Fiscal Note)

Representative Auer assumed the Chair.

THIRD READING OF HOUSE BILL - CONSENT

HB 1905, relating to museum districts, was taken up by Representative Kreider.

On motion of Representative Kreider, **HB 1905** was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Shear
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 001

Hoppe

PRESENT: 000

ABSENT WITH LEAVE: 005

Bland Dougherty Edwards-Pavia Gunn Hosmer

VACANCIES: 001

Representative Auer declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

MOTION

Representative Scott, having voted on the prevailing side, moved that the vote by which the emergency clause on SCS SBs 707 & 484 was defeated, be reconsidered.

Which motion was adopted by the following vote:

AYES: 140

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bauer Bennett

Berkstresser Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hickey Hilgemann

Holand Hollingsworth Hoppe Howerton Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Ransdall Reinhart Relford

Reynolds Richardson Rizzo Robirds Ross

Sallee Scheve Schilling Scott Secrest

Seigfreid Shear Shelton 57 Shields Skaggs

Smith Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 014

Bartelsmeyer Champion Chrismer Hegeman Hendrickson

Hohulin Murphy Pryor Purgason Ridgeway

Schwab Sheldon 104 Steen Wooten

PRESENT: 001

Froelker

ABSENT WITH LEAVE: 007

Bland Dougherty Edwards-Pavia Gunn Hosmer

Kelley 47 Lograsso

VACANCIES: 001

On motion of Representative Scheve, the emergency clause on SCS SBs 707 & 484 was adopted by the following vote:

AYES: 133

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bauer Bennett

Berkstresser Bonner Boucher Bray 84 Broach

Burton Campbell Carter Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Elliott Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Gaskill Gaston Graham 106 Graham 24

Gratz Green Griesheimer Gross Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hickey

Hilgemann Hollingsworth Hoppe Howerton Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Long

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Miller Monaco Murray

Naeger O'Connor O'Toole Ostmann Overschmidt

Parker Pouche Ransdall Reinhart Relford

Reynolds Richardson Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 022

Bartelsmeyer Boatright Champion Chrismer Enz

Froelker Gibbons Hall Hegeman Hendrickson

Hohulin Holand Linton Loudon Merideth

Murphy Nordwald Patek Pryor Purgason

Ridgeway Steen

PRESENT: 000

ABSENT WITH LEAVE: 007

Bland Dougherty Edwards-Pavia Gunn Hosmer

Kelley 47 Lograsso

VACANCIES: 001

Speaker Gaw assumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HBs 977 & 1608, relating to abatement of certain property, was taken up by Representative Bauer.

Representative Bauer offered HS HCS HBs 977 & 1608.

Representative Bauer offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 977 & 1608, Page 18, Section 701.332, Line 7 of said page, by inserting after the word "demolition" the following: "if the building division of such city certifies that either the structure contains no asbestos or that the manner of demolition will not result in asbestos levels in excess of Environmental Protection Agency standards in the area of the demolition".

Representative O'Toole offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 977 & 1608, Page 18, Section 441.643, Line 7, by inserting immediately after the word "demolition." The words "if the required notification contains a thorough inspection, performed by a state certified inspector, which identifies no asbestos containing materials."

On motion of Representative O'Toole, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted.

Representative Kennedy offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 977 & 1608, Page 5, Section 441.510, Line 4 of said page, by inserting after the word "which" the following: "a party with standing to sue pursuant to subsection 8 of this section,"; and

Further amend said bill, Page 5, Section 441.510, Line 6 of said page, by inserting after the words "welfare, the" the following: "party with standing to sue pursuant to subsection 8 of this section, the"; and

Further amend said bill, Page 5, Section 441.510, Line 12 of said page, by inserting after the word "the" the following: "party with standing to sue pursuant to subsection 8 of this section, the"; and

Further amend said bill, Page 5, Section 441.510, Line 21 of said page, by inserting after the words "seek the" the following: "party with standing to sue pursuant to subsection 8 of this section, the"; and

Further amend said bill, Page 6, Section 441.510, Line 2 of said page, by inserting after the word "A" the following: "party with standing to sue pursuant to subsection 8 of this section, a"; and

Further amend said bill, Page 6, Section 441.510, Line 13 of said page, by deleting the word "county's" and inserting in lieu thereof the following: "party with standing to sue pursuant to subsection 8 of this section, the county"; and

Further amend said bill, Page 7, Section 441.520, Line 10 of said page, by inserting after the word "the" the following: "party with standing to sue pursuant to subsection 8 of section 441.510, the"; and

Further amend said bill, Page 7, Section 441.510, Line 22 of said page, by inserting after all of said line the following:

"8. Notwithstanding the provisions of subsections 1 to 7 of this section, a civil action may be maintained pursuant to the provisions of sections 441.500 to 441.640 in the circuit court for the circuit where the property is located by the following persons or entities on the ground that a nuisance exists with respect to the dwelling unit or the building or premises of which the dwelling unit is a part:

(1) Occupants of one-third or more of the dwelling units within a building with respect to that building; or

(2) Any owner or tenant of real property within twelve hundred feet in any direction of the property in question who shows that his or her property or person is substantially affected by the alleged nuisance. An owner or tenant need not prove any specific, special or unique damage to himself or herself or his or her property or any adverse effect upon his or her property from the alleged nuisance in order to maintain a civil action pursuant to the provisions of sections 441.500 to 441.640."; and

Further amend said bill, Page 9, Section 441.550, Line 22 of said page, by inserting immediately before said line the following: "party with standing to sue pursuant to subsection 8 of section 441.510, the".

On motion of Representative Kennedy, House Amendment No. 2 was adopted.

Representative Troupe offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bills Nos. 977 & 1608, Page 1, In the Title, Line 7 of said page, by deleting the word "fourteen" and inserting in lieu thereof the word "thirteen"; and

Further amend said bill, Page 1, Section A, Line 14 of said page, by deleting the word "fourteen" and inserting in lieu thereof the word "thirteen"; and

Further amend said bill, Page 1, Section A, Line 16 of said page, by deleting the figure "441.643," and inserting in lieu thereof the word and figure "441.643 and"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word and figure "and 1"; and

Further amend said bill, Page 11, Section 441.590, Line 16 of said page, by inserting after the word "corporation" the following: "established to promote housing development and conservation in the area in which such property that is the subject of receivership is located"; and

Further amend said bill, Page 12, Section 441.590, Line 4 of said page, by inserting after the word "corporation" the following: "that is established to promote housing development and conservation in the area in which such property that is the subject of receivership is located"; and

Further amend said bill, Page 12, Section 441.590, Line 5 of said page, by inserting after the word "or" the following: ", in the absence of any such local housing corporation, the"; and

Further amend said bill, Page 12, Section 441.590, Line 10 of said page, by inserting after the word "corporation" the following: "established to promote housing development and conservation in the area in which such property that is the subject of receivership is located"; and

Further amend said bill, Page 12, Section 441.590, Line 18 of said page, by deleting the words ", if any, or" and inserting in lieu thereof the following: "that is established to promote housing development and conservation in the area in which such property that is the subject of receivership is located, if any, or, in the absence of any such local housing corporation, the"; and

Further amend said bill, Page 14, Section 441.590, Line 20 of said page, by inserting after all of said line the following: "9. For the purposes of this section, "local housing corporation" shall mean only those local housing corporations established prior to April 28, 1999."; and

Further amend said bill, Page 18, Section 701.332, Line 11 of said page, by deleting the bracket "]"; and

Further amend said bill, Page 18, Section 701.332, Line 12 of said page, by inserting after the word "safety" the bracket "]"; and

Further amend said bill, Page 18, Section 1, Lines 13 to 22 of said page, by deleting all of said lines; and

Further amend said bill, Page 19, Section 1, Lines 1 to 20, by deleting all of said lines.

On motion of Representative Troupe, House Amendment No. 3 was adopted.

Representative Treadway offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 977 & 1608, by inserting immediately after the following:

82.1025. In any county of the first classification with a charter form of government and a population greater than nine hundred thousand, in any city not within a county and in any city with at least three hundred fifty thousand inhabitants which is located in more than one county, a parcel of property is a nuisance, if such property adversely affects the property values of a neighborhood because the owner of such property allows the property to be in a deteriorated condition, due to neglect, violation of a county or municipal building code or standard, abandonment, failure to repair after a fire, flood or some other damage to the property or because the owner or resident of the property allows clutter on the property such as abandoned automobiles, appliances or similar objects. Any property owner, who owns property within a reasonable distance to a parcel of property which is alleged to be a nuisance may bring a nuisance action against the offending property owner for the amount of damage created by such property to the value of the petitioner's property, within the jurisdictional limits, and attorney's fees and court costs in small claims court, provided that the owner of the property which is alleged to be a nuisance has received notification of the alleged nuisance and has had a reasonable opportunity, not to exceed forty-five days, to correct the alleged nuisance. This section is not intended to abrogate, and shall not be construed as abrogating, any remedy available under the common law of private nuisance."; and

On motion of Representative Treadway, House Amendment No. 4 was adopted.

On motion of Representative Bauer, HS HCS HBs 977 & 1608, as amended, was adopted.

On motion of Representative Bauer, HS HCS HBs 977 & 1608, as amended, was ordered perfected and printed.

HCS HBs 1237, 1409, 1166, 1154 & 1491, relating to workers' compensation, was taken up by Representative Luetkenhaus.

Representative Luetkenhaus offered HS HCS HBs 1237, 1409, 1166, 1154 & 1491.

Representative Champion offered House Amendment No. 1.

House Amendment No. 1 was withdrawn.

HCS HBs 1237, 1409, 1166, 1154 & 1491, with HS, pending, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1942 - Criminal Law

HB 1943 - Environment and Energy

HB 1944 - Ways and Means

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SJR 24 - Budget

SCS SB 524 - Ways and Means

SCS SBs 614, 696, 906, 530, 912 & 914 - Judiciary

SS SB 620 - Budget

SB 683 - Motor Vehicle and Traffic Regulations

SB 743 - Local Government and Related Matters

SCS SB 849 - Ways and Means

SB 936 - Ways and Means

COMMITTEE REPORTS

Committee on Correctional and State Institutions, Chairman Crump reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred SB 579, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass by Consent.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred SB 842, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass by Consent.

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred SB 537, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HB 1907, HB 1918, HB 1928, HB 1600 and HB 1102, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 921, entitled:

An act to amend chapter 217, RSMo, by adding thereto one new section relating to telephone service for prison inmates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SBs 541 & 822, entitled:

An act to repeal sections 416.605, 643.305, 643.310, 643.315, 643.320, 643.335, 643.350 and 643.355, RSMo 1994, and sections 307.366 and 643.210, RSMo Supp. 1997, relating to motor vehicle emissions, and to enact in lieu thirteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, April 7, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-seventh Day, Thursday, April 2, 1998, page 885, lines 25 through 54, and page 886, lines 1 through 11 by deleting all of said lines and inserting in lieu thereof the following:

"The emergency clause was defeated by the following vote:"

AYES: 108

Auer Backer Barry 100 Bartlett Bauer

Berkstresser Bland Bonner Boucher

Bray 84 Burton Campbell Carter Champion

Clayton Cooper Crawford Crump

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Farnen Fitzwater Foley

Franklin Fritts Gaskill Gaston Graham 106

Graham 24 Gratz Green Griesheimer Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hendrickson

Hickey Hilgemann Hollingsworth Hoppe Hosmer

Johnson Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Legan Liese Long Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Miller Monaco Murray O'Connor O'Toole

Ostmann Overschmidt Parker Patek Ransdall

Reinhart Relford Reynolds Richardson Rizzo

Robirds Ross Sallee Scheve Schilling

Secrest Seigfreid Sheldon 104 Shelton 57 Skaggs

Smith Stokan Stoll Stroker Thomason 163

Thompson 37 Thompson 72 Townley Treadway Van Zandt

Wannenmacher Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 037

Akin Alter Ballard Barnett Bartelsmeyer

Boatright Broach Chrismer Cierpiot Elliott

Enz Evans Foster Froelker Gibbons

Gross Hegeman Hohulin Holand Howerton

Klindt Levin Linton Lograsso Loudon

Marble Merideth Murphy Naeger Pouche

Pryor Purgason Ridgeway Scott Shields

Summers Troupe

PRESENT: 000

ABSENT WITH LEAVE: 017

Bennett Copeland Daniel 42 Dougherty Edwards-Pavia

Ford Gunn Hall Kasten Nordwald

Schwab Shear Steen Surface Vogel

Wiggins Wooten

VACANCIES: 001

Page 887, Line 18, by inserting after said line the following:

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1610 - Rules, Joint Rules and Bills Perfected and Printed

Page 863, roll call, by showing Representatives Champion, Crawford and Murphy voting "aye" rather than "absent with leave".

Page 867, roll call, by showing Representative Williams (121) voting "aye" rather than "absent with leave".

Page 868, roll call, by showing Representatives Griesheimer, Hosmer, Patek and Williams (121) voting "aye" rather than "absent with leave".

Page 869, roll call, by showing Representatives Barry, Campbell and Dolan voting "aye" rather than "absent with leave".

Page 870, roll call, by showing Representative Murphy voting "aye" rather than "absent with leave".

Page 871, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Page 873, roll call, by showing Representative Seigfreid voting "aye" rather than "absent with leave".

Page 875, roll call, by showing Representatives Enz and Thompson (72) voting "aye" rather than "absent with leave".

Page 876, roll call, by showing Representatives Barry, Bonner, Enz and McClelland voting "aye" rather than "absent with leave".

Page 877, roll call, by showing Representative Enz voting "aye" rather than "absent with leave".

Page 878, roll call, by showing Representative Enz, Froelker and Williams (121) voting "aye" rather than "absent with leave".

Pages 880 and 881, roll call, by showing Representatives Klindt and Surface voting "aye" rather than "absent with leave".

Pages 881 and 882, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 882 and 883, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 883 and 884, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 884 and 885, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 885 and 886, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Tuesday, April 7, 1998, 8:30 am. Hearing Room 9.Possible executive

session on previously heard bills.

To be considered - HB 1656, HB 971, HB 1198

CHILDREN, YOUTH AND FAMILIES

Tuesday, April 7, 1998, 8:30 am. Hearing Room 1 and 2. Adoption bills executive session.

To be considered - HB 1637, SB 674

CHILDREN, YOUTH, AND FAMILIES

Wednesday, April 8, 1998, 7:30 pm. Hearing Room 8. Possible executive session.

To be considered - SB 961

CIVIL AND ADMINISTRATIVE LAW

Tuesday, April 7, 1998. Hearing Room 9 upon morning adjournment.

Executive session to follow.

To be considered - SB 631, SB 819, SB 844, SB 908, SB 900

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, April 7, 1998, 8:00 pm. Hearing Room 9. Executive session.

To be considered - SB 695, SB 981, SB 928

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 7, 1998. Hearing Room 8 upon morning adjournment.

To be considered - SB 753, SB 947, Executive Session - SB 488, Executive Session - SB 553

EDUCATION - HIGHER

Wednesday, April 8, 1998, 12:30 pm. Hearing Room 8.

To be considered - SB 641, SB 884

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, April 8, 1998. Side gallery upon morning adjournment. Executive session.

INSURANCE

Tuesday, April 7, 1998, 8:00 am. Hearing Room 8. Executive session may follow. AMENDED

To be considered - SB 722, HCR 23

JOINT COMMITTEE ON WETLANDS

Wednesday, April 8, 1998, 12:30 pm. Senate Committee Room 1. Big Muddy

National Fish and Wildlife Refuge presentation.U.S.Army Corps of Engineers

JUDICIARY

Tuesday, April 7, 1998. Hearing Room 5 upon morning adjournment.

Executive session may follow.

To be considered - HB 1375, HB 1567, SB 657

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 7, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session to follow.

To be considered - SB 580, SB 479, SB 625, SB 917, SB 652, SB 809

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 8, 1998, 9:00 am. Hearing Room 6.

To be considered - Executive Session - HCR 12, HB 1923, HB 1917, SB 615,

SB 925, SB 642

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 7, 1998, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 518

MUNICIPAL CORPORATIONS

Wednesday, April 8, 1998. Hearing Room 7 upon morning adjournment.

To be considered - SB 629

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, April 8, 1998, 8:00 pm. Hearing Room 5. Executive session to follow.

To be considered - SB 894, SB 940

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Tuesday, April 7, 1998, 9:15 am. Hearing Room 7. Executive session will follow.

To be considered - HB 1610

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 7, 1998, 8:00 pm. Hearing Room 5. Possible executive session.

To be considered - SB 941, SB 793, SB 963

SUB-COMMITTEE OF PROFESSIONAL REGISTRATION

Tuesday, April 7, 1998, 8:30 am. Hearing Room 5. Executive session.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Tuesday, April 7, 1998, 9:30 am. Hearing Room 6. Executive session may follow.

To be considered - SB 820

WAYS AND MEANS

Tuesday, April 7, 1998. Hearing Room 6 upon morning adjournment.

Executive session may follow.

To be considered - SB 558, SB 746, SB 888, SB 724, SB 489, HJR 56, HB 1867

HOUSE CALENDAR

Forty-ninth Day, Tuesday, April 7, 1998

HOUSE BILLS FOR PERFECTION

1 HCS HB 1237, 1409, 1166, 1154 & 1491, HS pending - Luetkenhaus

2 HCS HB 1405, 1109 & 1335 - Smith

3 HCS HB 972 & 1310 - Dougherty

4 HCS HB 1799 - Stroker

5 HCS HB 1537 - Troupe

6 HCS HB 1317 - Fritts

7 HB 1876 - Leake

8 HCS HB 1510 - Campbell

9 HB 1126, HCA 1 - Thomason (163)

10 HCS HB 1265 - Kreider

11 HB 893, HCA 1 - Backer

12 HCS HB 1674 - Rizzo

13 HB 1564 - Relford

14 HCS HB 1737 & 1345 - Riback Wilson

HOUSE BILL FOR PERFECTION - INFORMAL

HB 995 - Bray

HOUSE BILLS FOR PERFECTION - CONSENT

(April 2, 1998)

HB 1856 - Hosmer

(April 6, 1998)

HB 987 - Richardson

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HCS HB 1038 - Carter

3 HS HCS HB 1198, (Budget Fiscal 4-1-98) - Auer

4 HS HCS HB 1656, (Budget Fiscal 4-2-98) - Bray

5 HS HCS HB 971, (Budget Fiscal 4-1-98) - Smith

6 HS HCS HB 1441, 937 & 1795 - Luetkenhaus

7 HB 1258, (Budget Fiscal 4-6-98) - Bland

HOUSE BILL FOR THIRD READING - INFORMAL

HS HCS HB 1323 - Green

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1907 - Lakin

2 HB 1918 - Lograsso

3 HB 1928 - Parker

4 HB 1600 - Williams (159)

5 HB 1102 - Ostmann

SENATE BILLS FOR SECOND READING

SCS SB 541 & 822

SCS SB 921

HOUSE CONCURRENT RESOLUTION

HCR 10, (March 31, 1998, pgs. 819 & 820) - Crump

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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House Journal

Second Regular Session, 89th General Assembly

FORTY-NINTH DAY, Tuesday, April 7, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

O Lord, this week, by many, is called "Holy" - a week of special observances, a week of prayer and reflection, of opportunities to worship in our particular communities of faith. For many others it is simply another week of "business as usual." Whatever our understanding or belief about this season, we pause, at this particular moment, just to be grateful for another day of life. We acknowledge, with gratitude, the breath of life. We acknowledge, with gratitude, the blessings of rain to refresh the earth and of sun to warm us and encourage the growth of spring.

O God, sometimes in the midst of all the bad we read and hear, we forget that there is good in the world - the smile of encouragement from a friend, the hug and wet kiss of a child, the sense of accomplishment we feel when we recognize a project well done, the handshake of a grateful constituent. Lord, let us never forget to be thankful. Let us never forget to see Your hand at work in even the smallest delight of the day.

And now, O God, bless this Assembly in its work. Give them strength for the day and courage to make a difference. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Gerad Naeger, Alexis Borowick, Nick Lammers, Megan Prather, Jon Sobbe, Samantha Morris, Christopher Lohman, Daniel Zahner, Bonnie Nations, Tara Wilson, Clayton Verdot, Emily Masso, Maxwell L. Meile, Thomas Laubstein, Colleen Coburn, Quinn Gilliam, Amelia King, Kristina Hellwig, Rory O'Donnell, Lauren Rinck, Monica Schepers, Philipp Weber, Stacey Winkeler, Chris Hawk, Amanda Schodroski, Mallory Maisel, Amber Date, Shawn Horton, Jeff Conway, Kayley Wecker, Katherine Summers, Amy Brundage, Kyle Overton, Dennis Mickels, Katharina Blankenhagen, David West, Ravindar Lalsandhu, Crystal Schuler, Matthew Miller, Jacklyn McMillan and Jon Reed.

The Journal of the forty-eighth day was approved as corrected.

RESOLUTIONS

Representative Berkstresser offered House Resolution No. 744 through House Resolution No. 747, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Levin offered House Resolution No. 748, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Richardson, Foster, Williams (159), Thomason (163) and Koller offered House Resolution No. 749, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF SENATE BILLS

SCS SBs 541 & 822 and SCS SB 921 were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HB 1610, begs leave to report it has examined the same and pursuant to Rule 48 concurs in the report of the committee of origin to place said bill on the House Consent Calendar for Third Reading and Final Passage.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HB 1610, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Lograsso

ABSENT WITH LEAVE: 008

Bennett Bland Gunn Holand Klindt

Murphy Shear Townley

VACANCIES: 001

HOUSE CONCURRENT RESOLUTION

HCR 10, relating to gun safety education, was taken up by Representative Crump.

On motion of Representative Crump, HCR 10 was adopted.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1907, relating to employee background checks, was taken up by Representative Lakin.

On motion of Representative Lakin, HB 1907 was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Summers

Surface Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bennett Bland Gunn Murphy Shear

Stroker Townley

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Green, title to the bill was agreed to.

Representative Crump moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

HB 1918, relating to affirmative defense to sexual offense, was taken up by Representative Lograsso.

On motion of Representative Lograsso, HB 1918 was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Berkstresser Boatright Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Ford Foster Franklin
Fritts Froelker Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shear

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bennett Bland Foley Gaskill Gunn

Murphy Townley

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Parker moved that the vote by which the bill passed be reconsidered.

Representative Stokan moved that motion lay on the table.

The latter motion prevailed.

HB 1928, relating to on-site sewage disposal, was taken up by Representative Parker.

On motion of Representative Parker, HB 1928 was read the third time and passed by the following vote:

AYES: 153

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Griesheimer Gross Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shear Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 004

Auer DeMarce Green Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 005

Bennett Bland Gunn Murphy Townley

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Schilling, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Kennedy moved that motion lay on the table.

The latter motion prevailed.

HB 1600, relating to commercial feed law, was taken up by Representative Williams (159).

On motion of Representative Williams (159), HB 1600 was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartlett Bauer Berkstresser
Boatright Bonner Boucher Bray 84 Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Shear Sheldon 104
Shelton 57 Shields Skaggs Smith Steen
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Treadway Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartelsmeyer Bennett Bland Gunn Holand
Luetkenhaus Murphy Stokan Townley

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

HB 1102, relating to death penalty for murder of a minor, was taken up by Representative Ostmann.

On motion of Representative Ostmann, HB 1102 was read the third time and passed by the following vote:

AYES: 138

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bauer Berkstresser
Boatright Bonner Boucher Broach Burton
Campbell Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniels 41
Davis 122 Davis 63 DeMarce Dolan Donovan
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Hagan-Harrell Hall Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hickey Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland Merideth Miller
Monaco Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Summers Surface Thomason 163 Thompson 37 Treadway

Troupe Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wooten Mr. Speaker

NOES: 017

Bartlett Bray 84 Carter Daniel 42 Days

Dougherty Harlan Hendrickson Hilgemann McLuckie

Reynolds Schilling Shear Stroker Thompson 72

Van Zandt Wilson

PRESENT: 000

ABSENT WITH LEAVE: 007

Bennett Bland Franklin Gunn Kelley 47

Murphy Townley

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bonnor, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Kissell moved that motion lay on the table.

The latter motion prevailed.

HB 1610, relating to peace officers certification was taken up by Representative DeMarce.

HB 1610 was laid over.

THIRD READING OF HOUSE BILL

HCS HB 1038, relating to utility merchandising practices, was taken up by Representative Hickey.

On motion of Representative Hickey, HCS HB 1038 was read the third time and passed by the following vote:

AYES: 127

Alter Auer Backer Barnett Barry 100

Bartlett Bauer Boatright Bonner Boucher

Bray 84 Broach Carter Champion Chrismer

Cierpiot Clayton Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Hagan-Harrell Hall

Harlan Hartzler 124 Heckemeyer Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Kasten Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Levin Liese Lograsso Long

Loudon Luetkenhaus May 108 McBride McLuckie

Merideth Miller Monaco Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pryor Purgason Ransdall Relford

Reynolds Richardson Ridgeway Rizzo Ross

Scheve Schilling Schwab Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Stoll Stroker Summers

Surface Thomason 163 Thompson 72 Treadway Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 020

Akin Ballard Bartelsmeyer Berkstresser Burton

Campbell Cooper Farnen Hartzler 123 Hegeman

Hohulin Legan McClelland Nordwald Pouche

Reinhart Robirds Sallee Steen Van Zandt

PRESENT: 002

Hendrickson Linton

ABSENT WITH LEAVE: 013

Bennett Bland Gaskill Gunn Johnson

Kauffman Marble Mays 50 Murphy Stokan

Thompson 37 Townley Troupe

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Thomason (163), title to the bill was agreed to.

Representative Stroker moved that the vote by which the bill passed be reconsidered.

Representative Harlan moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HBs 1237, 1409, 1166, 1154 & 1491, with HS, pending, relating to workers' compensation, was again taken up by Representative Luetkenhaus.

Representative Luetkenhaus offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1237, 1409, 1166, 1154 & 1491, Page 85, Section 3, Line 21 of said page, by deleting all of said line and inserting in lieu thereof the following: "(1) Is at least seventeen and not more than twenty-two years"; and

Further amend said bill, Page 86, Section 3, Line 1 of said page, by deleting all of said line and inserting in lieu thereof the following: "(2) Is a Missouri citizen;"; and

Further amend said bill, Page 86, Section 3, Line 8 of said page, by inserting after the word "institution" the following: "in Missouri"; and

Further amend said bill, Page 86, Section 3, Line 9 of said page, by inserting after the word "institution" the following: "in Missouri"; and

Further amend said bill, Page 86, Section 3, Line 9 of said page, by inserting after all of said line the word "and"; and

Further amend said bill, Page 86, Section 3, Lines 10 to 12 of said page, by deleting all of said lines and inserting in lieu thereof the following: "(5) Establishes financial need."; and

Further amend said bill, Page 86, Section 3, Line 15 of said page, by deleting all of said line and inserting in lieu thereof the following: "private institution in Missouri or accredited vocational institution in Missouri to"; and

Further amend said bill, Page 86, Section 3, Line 18 of said page, by deleting all of said line and inserting in lieu thereof the following: "or public institution in Missouri or accredited vocational institution in Missouri so"; and

Further amend said bill, Page 87, Section 3, Line 2 of said page, by inserting after the figure "6." the following: "The provisions of sections 1 to 3 of this act shall only apply to state moneys used by KIDS CHANCE Inc. of Missouri and shall not apply to any moneys received by KIDS CHANCE Inc. from sources other than the state.

7. Scholarships provided pursuant to the provisions of sections 1 to 3 of this act shall not exceed the least of the following:

(1) The actual tuition, as defined in section 173.260, RSMo charged at an approved institution pursuant to this section where the individual is enrolled or accepted for enrollment; or

(2) The amount of tuition charged a Missouri resident at the University of Missouri for attendance.

8.".

On motion of Representative Luetkenhaus, House Amendment No. 1 was adopted by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Scheve

Schilling Schwab Scott Secrest Seigfreid

Shear Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 72 Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Bennett Bland Gaskill Gunn Hall

Hohulin Kauffman Murphy O'Connor Sallee

Thompson 37 Townley Williams 121

VACANCIES: 001

HCS HBs 1237, 1409, 1166, 1154 & 1491, with HS, as amended, pending, was laid over.

On motion of Representative Backer, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caroline Long, Kalie Long, Darcy Long, Megan Long, John Roth, Kristina Benke and Sara Morris.

RESOLUTIONS

Representative Barry offered House Resolution No. 750, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marble offered House Resolution No. 751, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Fritts, Elliott and Auer offered House Resolution No. 752, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 753, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Parker offered House Resolution No. 754, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Luetkenhaus offered House Resolution No. 755, which was referred to the Committee on Miscellaneous Bills and Resolutions.

THIRD READING OF HOUSE BILL - CONSENT

HB 1610, relating to peace officer certification, was again taken up by Representative DeMarce.

Representative Green made a privileged motion that HB 1610 lay on the table.

Which motion was defeated by the following vote:

AYES: 031

Barry 100 Bartlett Bray 84 Daniel 42 Davis 63

Donovan Elliott Foley Franklin Green

Hickey Hosmer Johnson Kennedy Kissell

Liese May 108 McLuckie Murray Overschmidt
Reynolds Scheve Schilling Sheldon 104 Shelton 57
Stroker Van Zandt Wannenmacher Williams 121 Wilson
Wooten

NOES: 116

Akin Alter Backer Ballard Barnett
Bartelsmeyer Bauer Berkstresser Boatright Bonner
Boucher Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Crawford Crump Daniels 41 Davis 122 Days
DeMarce Dolan Edwards-Pavia Enz Evans
Farnen Fitzwater Foster Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Griesheimer Gross Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hilgemann Hohulin Holand Hoppe
Howerton Kasten Kauffman Kelley 47 Kelly 27
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Linton Lograsso
Long Loudon Luetkenhaus Marble McBride
McClelland Merideth Miller Monaco Naeger
Nordwald O'Connor O'Toole Ostmann Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Richardson Ridgeway Rizzo
Robirds Ross Sallee Schwab Scott
Secrest Seigfreid Shields Skaggs Smith
Stokan Summers Surface Thomason 163 Thompson 72
Townley Treadway Vogel Wiggins Williams 159
Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 015

Auer Bennett Bland Copeland Dougherty
Ford Gunn Hollingsworth Mays 50 Murphy
Shear Steen Stoll Thompson 37 Troupe

VACANCIES: 001

HB 1610 was placed on the Informal Calendar.

PERFECTION OF HOUSE BILLS

HCS HBs 1237, 1409, 1166, 1154 & 1491, with HS, as amended, pending, relating to workers' compensation, was again taken up by Representative Luetkenhaus.

Representative Loudon offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1237, 1409, 1166, 1154 & 1491, Page 1, In the Title, Line 6 of said page, by deleting the comma and figure ", 287.615"; and

Further amend said bill, Page 1, In the Title, Line 10 of said page, by deleting the word "twenty-eight" and inserting in lieu thereof the word "twenty-seven"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the comma and figure ", 287.615"; and

Further amend said bill, Page 1, Section A, Line 19 of said page, by deleting the word "twenty-eight" and inserting in lieu thereof the word "twenty-seven"; and

Further amend said bill, Page 2, Section A, Line 2 of said page, by deleting the figure and comma "287.615,"; and

Further amend said bill, Page 79, Section 287.615, Lines 5 to 22 of said page, by deleting all of said lines; and

Further amend said bill, Page 80, Section 287.615, Lines 1 to 13 of said page, by deleting all of said lines.

Representative Loudon moved that House Amendment No. 2 be adopted.

Which motion was defeated.

On motion of Representative Luetkenhaus, HS HCS HBs 1237, 1409, 1166, 1154 & 1491, as amended, was adopted by the following vote:

AYES: 139

Akin Alter Backer Ballard Barnett

Barry 100 Bartlett Bauer Berkstresser Boucher

Bray 84 Broach Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Fritts

Gibbons Graham 106 Gratz Green Griesheimer

Gross Hagan-Harrell Hall Harlan Hartzler 123

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 011

Bartelsmeyer Boatright Burton Foster Froelker

Gaskill Hartzler 124 Hohulin Loudon Marble

Secrest

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer Bennett Bland Bonner Franklin

Gaston Graham 24 Gunn Murphy Richardson

Shear Troupe

VACANCIES: 001

On motion of Representative Luetkenhaus, HS HCS HBs 1237, 1409, 1166, 1154 & 1491, as amended, was ordered perfected and printed.

HCS HBs 1405, 1109 & 1335, relating to civil commitment of sexual predators, was taken up by Representative Smith.

Representative Smith offered HS HCS HBs 1405, 1109 & 1335.

Speaker Gaw resumed the Chair.

Representative Clayton offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1405, 1109 & 1335, Page 1, In the Title, Lines 2 and 3 of said page, by deleting all of said lines and inserting in lieu thereof the following: "To repeal sections 566.617, 589.400, 589.407, 589.410, 589.414, 589.417 and 589.425, RSMo Supp. 1997, and to enact in lieu thereof nineteen new sections relating to the civil commitment of sexual predators, with penalty provisions and an effective date."; and

Further amend said bill, Page 1, Section 1, Line 6 of said page, by inserting before all of said line the following:

"Section A. Sections 566.617, 589.400, 589.407, 589.410, 589.414, 589.417 and 589.425, RSMo Supp. 1997, are repealed and nineteen new sections enacted in lieu thereof, to be known as sections 589.400, 589.407, 589.410, 589.414, 589.417, 589.425, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, to read as follows:

[566.617. 1. Except as provided in subsection 3 of this section, the statements, photographs, and fingerprints required by sections 566.600 to 566.625 shall not be subject to the provisions of chapter 610, RSMo, and are not public records as defined in section 610.010, RSMo, and shall be available to courts, prosecutors and law enforcement agencies.

2. Except as provided in subsection 3 of this section, the statements, photographs, and fingerprints required by sections 566.600 to 566.625 shall not be subject to the provisions of chapter 610, RSMo, and are not public records as defined in section 610.010, RSMo, and shall not be open to inspection by the public or any person, other than a regularly employed peace officer or law enforcement officer.

3. Notwithstanding any provision of law to the contrary, the local law enforcement agency shall provide a complete list of the names and addresses of each offender registered within such agency's jurisdiction as well as the crime for which such offender was convicted to any person upon request.]

589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, received a suspended imposition of sentence for, been found guilty of, or pled guilty to committing, or attempting to commit, a felony offense of chapter 566, RSMo; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, received a suspended imposition of sentence for, been found guilty of, or pled guilty to committing, or attempting to commit one or more of the following offenses: kidnapping; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; incest; abuse of a child; used a child in a sexual performance; or promoting sexual performance by a child, and committed or attempted to commit the offense against a victim who is a minor, defined for the purposes of sections 589.400 to 589.425 as a person under seventeen years of age; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere in any other state or under federal jurisdiction to committing, or attempting to commit, an offense which, if committed in this state, would be a felony violation of chapter 566, RSMo, or a felony violation of any offense listed in subdivision (2) of this subsection.

2. Any person to whom sections 589.400 to 589.425 applies shall, within fourteen days of coming into any county, register with the chief law enforcement official of the county in which such person resides. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town or village law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town or village law enforcement agency, if so requested.

589.407. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol. Such form shall include, but is not limited to the following:

(1) A statement in writing signed by the person, giving the name, address, social security number and phone number of the person, the place of employment of such person, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, RSMo, the date [and], place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable; and

(2) The fingerprints and a photograph of the person.

589.410. [1.] The chief law enforcement official shall forward the completed offender registration form to the central repository within ten days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system upon inquiry.

[2. Notwithstanding any provision of law to the contrary, the chief law enforcement official, in accordance with rules promulgated by the department of public safety, shall release the information contained in the registration statement, as provided in subdivision (1) of section 589.407, made by an offender found to be a predatory sexual offender.]

589.414. 1. If any person required by sections 589.400 to 589.425 to register changes residence or address within the same county as such person's previous address, the person shall inform the chief law enforcement official in writing within fourteen days[,] of such new address and phone number, if the phone number is also changed.

2. If any person required by section 589.400 to 589.425 to register changes such person's residence or address to a different county, the person shall inform both the chief law enforcement official with whom the person last registered [of the new address] and the chief law enforcement official of the county having jurisdiction over the new residence or address in writing within fourteen days, of such new address and phone number, if the phone number is also changed.

3. Any person required by sections 589.400 to 589.425 to register who officially changes such person's name shall inform the chief law enforcement officer of such name change within seven days after such change is made.

4. In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall contact the county law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

(1) Any offender registered as a predatory or persistent offender;

(2) Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and

(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

589.417. 1. Except for the specific information listed in subsection 2 of this section, the complete statements[, photographs] and fingerprints required by sections 589.400 to 589.425 shall not be subject to the provisions of chapter 610, RSMo, and are not public records as defined in section 610.010, RSMo, and shall be available only to courts, prosecutors and law enforcement agencies.

2. [The statements, photographs and fingerprints required by sections 589.400 to 589.425 shall not be subject to the provisions of chapter 610, RSMo, and are not public records as defined in section 610.010, RSMo, and shall not be open to inspection by the public or any person, other than a regularly employed peace officer or law enforcement officer.]

Notwithstanding any provision of law to the contrary, the chief law enforcement official of the county shall maintain, for all offenders registered in such county, including those receiving a suspended imposition of sentence, a complete list of the names, addresses, crimes for which such offenders are registered, brief descriptions of such crimes, and photographs of such offenders. Any person may request such list from the chief law enforcement official of the county.

589.425. 1. Any person who is required to register pursuant to sections 589.400 to 589.425 [but] and:

(1) Includes any false information in such person's registration statement; or

(2) Fails to [do so] register; or

(3) Fails to timely verify registration information pursuant to section 589.414;

is guilty of a class A misdemeanor.

2. Any person who commits a second or subsequent violation of subsection 1 of this section is guilty of a class D felony."; and

Further amend said bill, Page 17, Section A, Lines 12 and 13 of said page, by deleting all of said lines and inserting in lieu thereof the following: "Section B. The provisions of section A of this act shall become effective January 1, 1999.".

On motion of Representative Clayton, House Amendment No. 1 was adopted.

Representative Parker offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1405, 1109 & 1335, Page 1, In the Title, Lines 2 and 3 of said page, by deleting all of said lines and inserting in lieu thereof the following: "To repeal section 589.410, RSMo Supp. 1997, and to enact in lieu thereof fourteen new sections relating to the civil commitment of sexual predators, with an effective date."; and

Further amend said bill, Page 1, Section 1, Line 6 of said page, by inserting before all of said line the following:

"Section A. Section 589.410, RSMo Supp. 1997, is repealed and fourteen new sections enacted in lieu thereof, to be known as sections 589.410, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, to read as follows:

589.410. 1. The chief law enforcement official shall forward the completed offender registration form to the central repository within ten days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system upon inquiry.

2. Notwithstanding any provision of law to the contrary, the chief law enforcement official, in accordance with rules promulgated by the department of public safety, shall release the information contained in the registration statement, as provided in subdivision (1) of section 589.407, made by an offender found to be a predatory sexual offender.

3. Any person registered pursuant to the provisions of sections 589.400 to 589.425 for a sexual offense shall have such person's name, address, description, photograph, and the facts of the conviction published on the department of public safety's Internet web site."; and

Further amend said bill, Page 17, Section A, Lines 12 and 13 of said page, by deleting all of said lines and inserting in lieu thereof the following: "Section B. The provisions of section A of this act shall become effective January 1, 1999.".

On motion of Representative Parker, House Amendment No. 2 was adopted.

Representative Carter offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1405, 1109 & 1335, Page 10, Section 6, Line 7, by inserting after said line the following language:

"The Department of Mental Health shall not place or house an offender determined to be a "sexually violent predator", pursuant to Section 1 to 13 of this act, with other mental health patients who have not been determined to be sexually violent predators."

On motion of Representative Carter, House Amendment No. 3 was adopted.

Representative Schilling offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1405, 1109 & 1335, Page 17, Section

13, Line 11 of said page, by inserting after all of said line the following:

"Section 14. No funds, bed space, facilities or any other resources shall be diverted from any other mental health programs for use in any program developed pursuant to sections 1 to 13 of this act.".

Representative Schilling moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 034

Bray 84 Carter Copeland Daniel 42 Davis 63

Days Donovan Dougherty Ford Franklin

Graham 24 Green Harlan Kasten Kennedy

Kissell Mays 50 McClelland Naeger O'Toole

Pryor Reynolds Schilling Sheldon 104 Shelton 57

Shields Stokan Stroker Summers Thompson 72

Troupe Van Zandt Williams 121 Wilson

NOES: 109

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Boatright Broach Burton Campbell Champion

Cierpiot Clayton Cooper Crawford Crump

Daniels 41 Davis 122 DeMarce Dolan Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foster Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Gratz Griesheimer Gross

Hagan-Harrell Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hollingsworth Hoppe

Hosmer Howerton Johnson Kauffman Kelley 47

Kelly 27 Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Long Loudon Luetkenhaus Marble

May 108 McBride McLuckie Merideth Miller

Monaco Murray Nordwald Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schwab

Scott Seigfreid Smith Steen Surface

Thomason 163 Townley Treadway Vogel Wannenmacher

Wiggins Williams 159 Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 019

Auer Bennett Bland Bonner Boucher

Chrismer Foley Gunn Hall Hohulin

Holand Lograsso Murphy O'Connor Secrest

Shear Skaggs Stoll Thompson 37

VACANCIES: 001

On motion of Representative Smith, HS HCS HBs 1405, 1109 & 1335, as amended, was adopted.

On motion of Representative Smith, HS HCS HBs 1405, 1109 & 1335, as amended, was ordered perfected and printed.

SIGNING OF SENATE BILL

All other business of the House was suspended while SCS SBs 707 & 484 was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

PERFECTION OF HOUSE BILLS

HCS HBs 972 & 1310 was placed on the Informal Calendar.

HCS HB 1799, relating to domestic violence assaults, was taken up by Representative Stroker.

Representative Stokan offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1799, Page 1, Section 565.070, Line 11, by inserting immediately after the word "provocative" the following: "; or

(6) The person knowingly causes physical contact with an incapacitated person, as defined in section 475.010, RSMo, which a reasonable person, who is not incapacitated, would consider offensive or provocative".

On motion of Representative Stokan, House Amendment No. 1 was adopted.

Representative Parker offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1799, Page 2, Line 20, by deleting the language "When a class A misdemeanor" and inserting in lieu thereof the following: "against a family or household member committed in violation of the provisions of subdivision (1), (2), or (4) of subsection 1 of this section."

On motion of Representative Parker, House Amendment No. 2 was adopted.

On motion of Representative Stroker, HCS HB 1799, as amended, was adopted.

On motion of Representative Stroker, HCS HB 1799, as amended, was ordered perfected and printed.

HCS HB 1537, relating to welfare to work protection act, was taken up by Representative Troupe.

Representative Monaco offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1537, Page 2, Section 3, Lines 11 to 15, by deleting all of said lines; and

Further amend said bill, Page 2, Section 3, Line 16, by deleting the number "3." and inserting in lieu thereof the number "2."; and

Further amend said bill, Page 3, Section 3, Line 28, by deleting the number "4." and inserting in lieu thereof the number "3.".

On motion of Representative Monaco, House Amendment No. 1 was adopted.

Representative Boucher offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1537, Page 3, Section 4, Line 14, by inserting after all of said line the following:

"Section 5. For the purposes of sections 5 to 7 of this act, the following terms mean:

(1) "Caseload standards", the minimum and maximum number of cases that an employee can reasonably be expected to perform in a normal work month based on the number of cases handled by, or the number of different job functions performed by, the employee;

(2) "Department", the department of social services;

(3) "Director", the director of the department of social services;

(4) "Professional caseload standards", caseload standards that are established by national setting authorities such as the Child Welfare League, National Eligibility Workers Associations and the National Association of Social Workers, or caseload standards used in other states which have similar job titles.

Section 6. 1. The director shall develop caseload standards based on the actual duties of employees in each program area of the department, after considering recommendations of the caseload standards advisory committee, established pursuant to section 7 of this act, and consistent with existing professional caseload standards.

2. In establishing standards pursuant to sections 5 to 7 of this act, the director shall:

(1) Ensure the standards are based on the actual duties of the caseworker;

(2) Ensure the standards are consistent with existing professional caseload standards; and

(3) Consider standards developed by other states for workers in similar positions of employment.

3. Such standards shall be used by the director as the basis of the department's personnel budget request to the governor.

4. If an employee has failed to satisfactorily complete assignments that are in excess of specified caseload standards, good faith efforts to complete such assignments shall be among the factors considered in the employee's performance evaluation and before any disciplinary action is imposed. If an employee's performance evaluation is lowered or discipline is imposed by a supervisor, the employee may file a grievance based on a claim of work expectations that exceed caseload standards, and the employee shall be entitled to an accelerated hearing of that grievance at the department director's level.

5. Subject to appropriations, the department shall use the standards established pursuant to sections 5 to 7 of this act to assign caseloads to individual employees.

Section 7. 1. The director shall convene, at least biannually, a caseload standards committee which shall consist of seven nonsupervisory employees of the department and three division directors of the department or their designees. A representative of the employees' certified majority organization shall also serve on the committee in an advisory capacity, but may not vote on any measure before the committee. The caseload standards advisory committee shall include as nearly as possible employees from each program area of the department.

2. The caseload standards advisory committee shall review professional and other caseload standards and recommendations the committee considers appropriate and recommend to the department minimum and maximum caseloads for each category of workers employed by the department.".

On motion of Representative Boucher, House Amendment No. 2 was adopted.

Representative Holand offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1537, Page 3, Section 4, Line 5, by deleting all of said line and inserting in lieu thereof the following: "county with more than one thousand active TANF cases;".

On motion of Representative Holand, House Amendment No. 3 was adopted.

Representative Purgason offered House Amendment No. 4.

House Amendment No. 4 was withdrawn.

Representative Smith assumed the Chair.

Representative Reinhart offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1537, Page 1, Section 1, Line 1, by deleting the number "4" and inserting in lieu thereof the number "5"; and

Further amend said bill, Page 1, Section 1, Line 3, by deleting the number "4" and inserting in lieu thereof the number "5"; and

Further amend said bill, Page 2, Section 2, Line 11, by inserting after all of said line the following:

"Section 3. Beginning on the day of application for work first program benefits, the applicant shall apply for work, apply for or engage in an approved work activity, or immediately go to work."; and

Further amend said bill, Page 2, Section 3, Line 1, by deleting the number "3" and inserting in lieu thereof the number "4"; and

Further amend said bill, Page 3, Section 4, Line 1, by deleting the number "4" and inserting in lieu thereof the number "5".

Representative Reinhart moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 072

Akin Alter Ballard Barnett Bartelsmeyer
Berkstresser Boatright Broach Burton Champion
Chrismer Cierpiot Cooper Crawford Dolan
Donovan Edwards-Pavia Elliott Enz Evans
Foster Froelker Gaskill Gaston Gibbons
Graham 106 Griesheimer Gross Hall Hartzler 123
Hartzler 124 Hegeman Hendrickson Hohulin Holand
Howerton Kasten Kauffman Klindt Legan
Levin Linton Lograsso Long Loudon
Marble McClelland Merideth Miller Naeger
Nordwald Ostmann Patek Pouche Pryor
Purgason Reinhart Richardson Ridgeway Robirds
Ross Sallee Schwab Scott Shields
Steen Summers Surface Townley Vogel
Wannenmacher Wooten

NOES: 076

Backer Barry 100 Bartlett Bauer Boucher
Bray 84 Campbell Carter Clayton Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Farnen Fitzwater Foley Ford
Franklin Fritts Graham 24 Gratz Green
Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann
Hollingsworth Hoppe Hosmer Johnson Kelly 27
Kennedy Kissell Koller Kreider Lakin
Lawson Leake Liese Luetkenhaus May 108
Mays 50 McBride McLuckie Monaco Murray
O'Toole Overschmidt Parker Ransdall Relford
Reynolds Rizzo Scheve Schilling Seigfreid
Sheldon 104 Shelton 57 Skaggs Smith Stoll
Stroker Thomason 163 Thompson 72 Treadway Troupe
Van Zandt Wiggins Williams 121 Williams 159 Wilson
Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 014

Auer Bennett Bland Bonner Copeland

Dougherty Gunn Kelley 47 Murphy O'Connor

Secrest Shear Stokan Thompson 37

VACANCIES: 001

Representative Lograsso requested a verification of the roll call on the adoption of House Amendment No. 4

Representative Gibbons offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1537, Page 3, Section 4, Line 14, by adding after said line all of the following:

Section 5. Direct placement programs shall sanction the public assistance recipient who has been convicted (under federal or state law) of any offense which is classified as a felony by the law of the jurisdiction involved and which has an element the possession, use or distribution of a controlled substance (as defined in section 802(6) of Title 21, United States Code).

(1) The amount of assistance otherwise required to be provided under the Temporary Assistance/Work First Program to the family members of an individual to whom section 5 applies shall be reduced by the amount which would have otherwise been made available to the individual who has been convicted of such an offense.

(2) This prohibition shall not apply to convictions arising out of offenses occurring prior to the effective date of United States Public Law 104-193 on August 22, 1996.

(3) Each individual applying for benefits under the Temporary Assistance/Work First Program shall be required in the application process to state, in writing, whether the individual, or any member of the household of the individual, has been convicted of a crime described here.

Representative Monaco raised a point of order that House Amendment No. 5 goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

HCS HB 1537, as amended, with House Amendment No. 5, pending, was laid over.

COMMITTEE REPORTS

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred SB 470, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass by Consent.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred SB 684, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred SB 764, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred SCS SB 820, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred SB 535, begs leave

to report it has examined the same and recommends that the House Committee Substitute Do Pass by Consent.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SBs 541 & 822 - Environment and Energy

SS SCS SBs 583 & 645 - Critical Issues

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SS SB 620 - Labor

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 498, entitled:

An act to amend chapter 407, RSMo, by adding thereto nine new sections relating solely to franchises and other agreements between motorcycle dealers and motorcycle manufacturers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS SB 781, entitled:

An act to repeal sections 162.081, 162.571, 162.581, 162.601, 162.621, 162.935, 163.161, 166.275 and 168.221, RSMo 1994, and sections 163.011 and 163.031, RSMo Supp. 1997, relating to education, and to enact in lieu thereof twenty-four new sections relating to the same subject with a contingent effective date for certain sections.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 8, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-eighth Day, Monday, April 6, 1998, pages 894 and 895, roll call, by showing

Representative Hosmer voting "aye" rather than "absent with leave".

Page 896, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 896 and 897, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, April 8, 1998. Hearing Room 9 upon morning adjournment.

Executive session will follow.

To be considered - SB 897, SB 596, SB 970, SB 610

BUDGET

Wednesday, April 8, 1998, 9:00 am. Hearing Room 9.

Possible executive session on previously heard bills.

To be considered - HB 1885, SJR 24

CHILDREN, YOUTH AND FAMILIES

Wednesday, April 8, 1998, 7:30 pm. Hearing Room 8. Possible executive session.

To be considered - SB 961

COMMERCE

Wednesday, April 8, 1998. Hearing Room 6 upon evening adjournment.

Executive session may follow.

To be considered - SB 828, SB 787, SB 927

CRIMINAL LAW

Wednesday, April 8, 1998, 8:00 pm. Hearing Room 9. Executive session will follow.

To be considered - SB 766, SB 634

EDUCATION - HIGHER

Wednesday, April 8, 1998, 12:30 pm. Hearing Room 8.

To be considered - SB 641, SB 884

ENVIRONMENT AND ENERGY

Thursday, April 9, 1998, 8:30 am. Hearing Room 6. Executive session to follow.

To be considered - SB 541

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, April 8, 1998. Side gallery upon morning adjournment.

Executive session.

JOINT COMMITTEE ON WETLANDS

Wednesday, April 8, 1998, 12:30 pm. Senate Committee Room 1. Big Muddy

National Fish and Wildlife Refuge presentation.U.S.Army Corps of Engineers

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 8, 1998, 9:00 am. Hearing Room 6.

To be considered - Executive Session - HCR 12, HB 1923, HB 1917, SB 615, SB 925, SB 642

MUNICIPAL CORPORATIONS

Wednesday, April 8, 1998. Hearing Room 7 upon morning adjournment.

To be considered - SB 629

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, April 8, 1998, 8:00 pm. Hearing Room 5. Executive session to follow.

To be considered - SB 894, SB 940

RETIREMENT

Wednesday, April 8, 1998, 8:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 761, SB 733, SB 841, SB 501

TRANSPORTATION

Wednesday, April 8, 1998, 1:00 pm. Hearing Room 5. Executive session to follow.

To be considered - HJR 52, HB 1772

UTILITIES REGULATION

Thursday, April 9, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1914, Executive Session - SB 561

HOUSE CALENDAR

Fiftieth Day, Wednesday, April 8, 1998

HOUSE BILLS FOR PERFECTION

1 HCS HB 1537, as amended, HA 5, pending, - Troupe

2 HCS HB 1317 - Fritts

3 HB 1876 - Leake

4 HCS HB 1510 - Campbell

5 HB 1126, HCA 1 - Thomason (163)

6 HCS HB 1265 - Kreider

7 HB 893, HCA 1 - Backer

8 HCS HB 1674 - Rizzo

9 HB 1564 - Relford

10 HCS HB 1737 & 1345 - Riback Wilson

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310 - Dougherty

HOUSE BILLS FOR PERFECTION - CONSENT

(April 2, 1998)

HB 1856 - Hosmer

(April 6, 1998)

HB 987 - Richardson

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HS HCS HB 1198, (Budget Fiscal 4-1-98) - Auer

3 HS HCS HB 1656, (Budget Fiscal 4-2-98) - Bray

4 HS HCS HB 971, (Budget Fiscal 4-1-98) - Smith

5 HS HCS HB 1441, 937 & 1795 - Luetkenhaus

6 HB 1258, (Budget Fiscal 4-6-98) - Bland

7 HS HCS HB 977 & 1608 - Bauer

HOUSE BILLS FOR THIRD READING - INFORMAL

HS HCS HB 1323 - Green

HB 1610, - DeMarce - (Consent)

SENATE BILLS FOR SECOND READING

SCS SB 498

SS SCS SB 781

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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House Journal

Second Regular Session, 89th General Assembly

FIFTIETH DAY, Wednesday, April 8, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"Praise the Lord all you nations, glorify him all your peoples. For steadfast is his kindness toward us and the faithfulness of the Lord is forever." (Ps. 117)

This is the shortest psalm in the Book of Psalms. It is used as a prayer for rejoicing. This morning in this sacred week in the calendar of the major faiths, we rejoice that we can begin this day here to be affirmed and challenged by this call to be among the family of nations who praise You, our God. We ask for forgiveness and for the grace for each of us to do our part, to set aside those issues which divide us and to end the spread of words and weapons of divisiveness and hatred in so many ways.

We give thanks for medical developments announced recently about breast cancer and arthritis, another step forward in healing in another way. May we be healed and healers in whatever way we can this week which gives meaning to the rest of the year as we claim Your merciful Healing Power for our own sins and the sins which tear Your one family apart, O God. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nicolas Spellman, Kelly Zeilstra, Aaron Hilgedick, Samantha Genochio, Angela Rudebeck, Melissa Lickenbrock, Erin Buchanan, Matt Baszis, Bree Schuster, Lacey Roettgen, Steven Saxton, Tim Miller, Ashley Miller, Jordon Gorrell, Zachary Rigatti, Randy Stephens, Claire Joanna Moellering, Katherine Risley, Will Bartz, Annie Shih, A.J. Harris, Peter Broeder, McKenna Pickett, Erik Heitz, Olivia Penner, Mark Zalewski, Sarah Huber, Willie Portman, Nick Reese, Joel Portman, Lee Peppin, Ryan Hertich, Rex Barker, Anthony Borrelli, Trish Jones, Kristen Dalhoff, Nate Hoffman, Elliott Kehoe, Kristen McGrath, Shannon Ross, Kelly Donovan, John Tindell, Jeff Tindell, Angelia Elgin, Verna O'Keefe, Dave Larkin, Brian Moore, Emily Wilfong and Julie Taylor.

The Journal of the forty-ninth day was approved as corrected.

RESOLUTIONS

Representative Williams (121) offered House Resolution No. 756 through House Resolution No. 758, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Luetkenhaus offered House Resolution No. 759, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF SENATE BILLS

SCS SB 498 and **SS SCS SB 781** were read the second time.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HB 971 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1198 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution No. 692** through **House Resolution No. 755**, begs leave to report it has examined the same and recommends that they **Do Pass**.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HS HCS HBs 977 & 1608, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS

HS HCS HBs 1441, 937 & 1795, relating to partial birth abortion, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, HS HCS HBs 1441, 937 & 1795 was read the third time and passed by the following vote:

AYES: 131

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Boatright Bonner Boucher Broach

Burton Champion Chrismer Cierpiot Cooper

Copeland Crawford Crump Daniels 41 Davis 122

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Foley

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Gratz Green

Griesheimer Gross Gunn Hall Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 McBride McClelland Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schwab Scott Secrest Seigfreid

Sheldon 104 Shields Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Townley

Treadway Vogel Wannenmacher Wiggins Williams 159

Wooten

NOES: 026

Bartlett Bland Bray 84 Campbell Carter

Clayton Daniel 42 Days Fitzwater Ford

Graham 24 Hagan-Harrell Harlan Hilgemann Kauffman

Lakin Mays 50 McLuckie Schilling Shear

Shelton 57 Skaggs Thompson 72 Van Zandt Wilson

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 005

Davis 63 Smith Thompson 37 Troupe Williams 121

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hollingsworth, title to the bill was agreed to.

Representative DeMarce moved that the vote by which the bill passed be reconsidered.

Representative Parker moved that motion lay on the table.

The latter motion prevailed.

HS HCS HBs 977 & 1608, relating to abatement of certain property, was taken up by Representative Bauer.

On motion of Representative Bauer, HS HCS HBs 977 & 1608 was read the third time and passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bauer Bennett

Berkstresser Bland Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaston Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Levin Liese Linton Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shear Sheldon 104

Shelton 57 Shields Skaggs Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 72 Townley Treadway Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 009

Boatright Bonner Edwards-Pavia Gibbons Kelly 27

Legan Lograsso McClelland Murphy

PRESENT: 001

Thompson 37

ABSENT WITH LEAVE: 005

Bartelsmeyer Davis 63 Gaskill Smith Troupe

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HB 1317, relating to operation of motor vehicle, was taken up by Representative Fritts.

Representative Fritts offered HS HCS HB 1317.

Representative Ross offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 7, Line 4, Section 302.302, by deleting the section reference "302.025" and inserting in lieu thereof the section reference "303.025"; and

Further amend page 50, line 14, by deleting "fourteen" and adding "twelve".

On motion of Representative Ross, House Amendment No. 1 was adopted.

Representative May (108) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the Title, Line 10, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 2, Section A, Line 3, by deleting the following: "5 and 6," and inserting in lieu thereof the following: "5, 6 and 7,"; and

Further amend said bill, Page 61, Section 6, Line 15, by inserting immediately after all of said line the following:

"Section 7. If a Missouri resident is charged with ten or more violations of county law or municipality law regulating the parking of a motor vehicle and fails to dispose of the charges of which such defendant is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply, inform the defendant by ordinary mail at the last address shown on the court records that the court shall order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant and shall order the director to suspend the defendant's driving privileges. The office of the state court administrator and the department of revenue will work in conjunction to prescribe the form to be used in sending notification to the department of revenue. Nothing in this section shall be construed to disallow a defendant who has received a notice pursuant to this section from challenging the accuracy of the record of violations before the court which gave such notice. If the defendant timely challenges the accuracy of the record of violations, the court shall not notify the director of revenue of such violations until the defendant's claim is resolved.

2. Upon receipt of this notification, the director shall suspend the defendant's driving privileges or deny the defendant's application for such privileges, effective immediately, and provide notice of the suspension to the defendant at the last address for the defendant shown on the records of the department of revenue. Such suspension shall remain in effect until satisfactory evidence of the deposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the defendant. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of a reinstatement fee pursuant to section 302.304, RSMo, the director shall reinstate the defendant's driving privileges and send notice to the defendant advising of the reinstatement and the effective date of such reinstatement.

3. The filing of financial responsibility with the department of revenue shall not be required as a condition of reinstatement of a defendant's driving privileges suspended or denied pursuant to the provisions of this section.

4. In the event a defendant's driving privileges are suspended by the director, the defendant may appeal to the circuit court of the county in which the defendant is a resident. The sole issue at the hearing shall be whether the court issued a notice for the director to suspend the defendant's driving privileges.".

Representative Froelker offered House Amendment No. 1 to House Amendment No. 2.

House Amendment No. 1

to

House Amendment No. 2

Amend House Amendment No. 2 to House Substitute for House Committee Substitute for House Bill No. 1317, Page 4, Section 7, Line 1, by deleting the word "not" on said line.

On motion of Representative Froelker, House Amendment No. 1 to House Amendment No. 2 was adopted.

On motion of Representative May (108), House Amendment No. 2, as amended, was adopted.

Representative Hosmer offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the Title, Line 4 of said page, by inserting immediately after the number "307.365" a comma ","; and

Further amend said bill, Page 1, In the Title, Line 5 of said page, by deleting "and 307.390" and inserting in lieu thereof the following: "307.390, and 577.023"; and

Further amend said bill, Page 1, In the Title, Line 6 of said page, by inserting immediately after the figure "302.302," the figures "302.309, 302.545,"; and

Further amend said bill, Page 1, In the Title, Line 7 of said page, by inserting immediately after the number "307.350" a comma ","; and

Further amend said bill, Page 1, In the Title, Line 8 of said page, by deleting "and 307.375" and inserting in lieu thereof the following: "307.375, 577.020, and 577.041"; and

Further amend said bill, Page 1, In the Title, Line 10 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "thirty-two"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting "and 307.390" and inserting in lieu thereof the following: ", 307.390, and 577.023"; and

Further amend said bill, Page 1, Section A, Line 18 of said page, by inserting immediately after the figure "302.302," the figures "302.309, 302.545,"; and

Further amend said bill, Page 1, Section A, Line 19 of said page, by deleting "and 307.375" and inserting in lieu thereof the following: ", 307.375, 577.020, and 577.041"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "thirty-two"; and

Further amend said bill, Page 1, Section A, Line 21 of said page, by inserting immediately after the figure "302.302," the figures "302.309, 302.545,"; and

Further amend said bill, Page 2, Section A, Line 3 of said page, by inserting immediately after the number "307.390," the following: "577.020, 577.023, 577.041,"; and

Further amend said bill, Page 9, Section 302.302, Line 8 of said page, by inserting immediately after all of said line the following:

"302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303, RSMo.

2. Any operator whose license is revoked under these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts or the director of revenue shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privileges shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) A business, occupation, or employment;

(b) Seeking medical treatment for such operator;

(c) Attending school or other institution of higher education;

(d) Attending alcohol or drug treatment programs; or

(e) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the

restrictions and limitations of the limited driving privileges the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privileges, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303, RSMo. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, RSMo, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303, RSMo, for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303, RSMo, for that vehicle.

(4) The court order or the director's grant of the limited driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points under the provisions of section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle under the authority of a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(5) [Except as provided in subdivision (6) of this subsection,] No person is eligible to receive [hardship] a limited driving privilege whose license has been suspended [or], revoked, or denied, or who has been deemed ineligible for a driving privilege for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, RSMo, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Has had their license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated as prescribed in subdivision (10) of section 302.060, until the person has served at least the first two years of the five-year license denial period;

(d) Has had their license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, until the person has served at least the first three years of the ten-year license denial period;

(e) Has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition;

[(c)] (f) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), [(9), (10)] or (11) of section 302.060;

[(d)] (g) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, RSMo, or having left the scene of an accident as provided in [section 577.060, RSMo] state law, or a county or municipal law;

[(e)] (h) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041, RSMo, or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

[(f) Violation] (i) Violating more than once [of] the provisions of section 577.041, RSMo, or a similar implied consent law of any other state;

[(g)] (j) Disqualification of a commercial driver's license pursuant to sections 302.700 to 302.780, however, nothing in this subsection shall prevent a person holding a commercial driver's license who is suspended or revoked as a result of an action occurring while not driving a commercial motor vehicle or driving for pay, but while driving in an individual capacity as an operator of a personal vehicle from applying for [hardship] limited driving privileges to operate a commercial vehicle, if otherwise eligible for such [hardship] limited driving privilege; or

[(h)] (k) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for limited driving privileges; or due to a revocation under subsection 2 of section 302.525 if such person has not completed such revocation.

(6) (a) [Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege,] A circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for limited driving privileges pursuant to this subsection if such person has served at least three years of such disqualification, denial or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The issuance of a limited driving privilege under this subsection is prohibited if at the time of application the person is otherwise ineligible for such privilege for any reason set forth in paragraph (a), (b), (e), (f), (g), (h), (i), (j), or (k) of subdivision (5) of this subsection.

(b) A circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years, as prescribed in subdivision (10) of section 302.060, to apply for limited driving privileges pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. This issuance of a limited driving privilege under this subsection is prohibited if at the time of application the person is otherwise ineligible for such privilege for any reason set forth in paragraph (a), (b), (e), (f), (g), (h), (i), (j), or (k) of subdivision (5) of this subsection. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privileges pursuant to the provisions of this subdivision.

4. Any person who has received notice of denial of a request of limited driving privileges by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privileges.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section.

302.545. 1. Any person who is less than twenty-one years of age and whose driving privilege has been suspended or revoked, for a first determination under sections 302.500 to 302.540, that such person was driving with two-hundredths of one percent of blood alcohol content, shall have all official records and all recordations maintained by the department of revenue of such suspension or revocation expunged two years after the date of such suspension or revocation, or when such person attains the age of twenty-one, whichever date first occurs. Such expungement shall be performed by the department of revenue without need of a court order. No records shall be expunged if the person [was found guilty or pled guilty to operating] has a conviction, as that term is defined in section 302.700, for the operation of a commercial motor vehicle, as defined in section 302.700, with a blood alcohol content of at least four-hundredths of one percent.

2. The provisions of this section shall not apply to any person whose license is suspended or revoked for a second or subsequent time pursuant to subsection 1 of this section or who is convicted of any alcohol-related driving offense before the age of twenty-one including, but not limited to:

(1) Driving while intoxicated pursuant to section 577.010, RSMo; or

(2) Driving with excessive blood alcohol content pursuant to section 577.012, RSMo."; and

Further amend said bill, Page 57, Section 307.390, Line 8 of said page, by inserting after all of said line the following:

"577.020. 1. Any person who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent to, subject to the provisions of sections 577.020 to 577.041, a chemical test or tests of the person's breath, blood, saliva or urine for the purpose of determining the alcohol or drug content of the person's blood pursuant to the following circumstances:

(1) If the person is arrested for any offense arising out of acts which the arresting officer had reasonable grounds to believe were committed while the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(2) If the person is under the age of twenty-one and is stopped or detained for any reason by a law enforcement officer who during such stop or detention has reasonable grounds to believe that such person was

driving a motor vehicle with an amount of alcohol in the person's blood that would require a notice of suspension or revocation pursuant to sections 302.500 to 302.541, RSMo. The test shall be administered at the direction of the [arresting] law enforcement officer whenever the person has been arrested [for the offense] or stopped for any reason.

2. The implied consent to submit to the chemical tests listed in subsection 1 of this section shall be limited to not more than two such tests arising from the same arrest, incident or charge.

3. Chemical analysis of the person's breath, blood, saliva, or urine to be considered valid pursuant to the provisions of sections 577.020 to 577.041 shall be performed according to methods approved by the state department of health by licensed medical personnel or by a person possessing a valid permit issued by the state department of health for this purpose.

4. The state department of health shall approve satisfactory techniques, devices, equipment, or methods to be considered valid pursuant to the provisions of sections 577.020 to 577.041 and shall establish standards to ascertain the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination or revocation by the state department of health.

5. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person at the choosing and expense of the person to be tested, administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

6. Upon the request of the person who is tested, full information concerning the test shall be made available to him.

7. Any person given a chemical test of the person's breath pursuant to subsection 1 of this section or a field sobriety test may be videotaped during any such test at the direction of the arresting law enforcement officer. Any such video recording made during the chemical test pursuant to this subsection or a field sobriety test shall be admissible as evidence at either any trial of such person for either a violation of any state law or county or municipal ordinance, or any license revocation or suspension proceeding pursuant to the provisions of chapter 302, RSMo.

577.023. 1. For purposes of this section, unless the context clearly indicates otherwise:

(1) An "intoxication-related traffic offense" is driving while intoxicated, driving with excessive blood alcohol content, involuntary manslaughter pursuant to subdivision (2) of subsection 1 of section 565.024, RSMo, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, RSMo, assault of a law enforcement officer in the second degree pursuant to subdivision (3) of subsection 1 of section 565.082, RSMo, or driving under the influence of alcohol or drugs in violation of state law or a county or municipal ordinance, where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing;

(2) A "persistent offender" is one of the following:

(a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses, where such two or more offenses occurred within ten years of the occurrence of the intoxication-related traffic offense for which the person is charged;

(b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter pursuant to subsection 1 of section 565.024, RSMo, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, RSMo, or assault of a law enforcement officer in the second degree pursuant to subdivision (3) of subsection 1 of section 565.082, RSMo; and

(3) A "prior offender" is a person who has pleaded guilty to or has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. No court shall suspend the imposition of sentence as to a prior or persistent offender under this section nor sentence such person to pay a fine in lieu of a term of imprisonment, section 557.011, RSMo, to the contrary notwithstanding, nor shall such person be eligible for parole or probation until he has served a minimum of forty-eight consecutive hours' imprisonment, unless as a condition of such parole or probation such person performs at least ten days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service.

5. The court shall find the defendant to be a prior offender or persistent offender, if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender or persistent offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender or persistent offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender or persistent offender.

6. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

7. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

8. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

9. The defendant may waive proof of the facts alleged.

10. Nothing in this section shall prevent the use of presentence investigations or commitments.

11. At the sentencing hearing both the state and the defendant shall be permitted to present additional information bearing on the issue of sentence.

12. The pleas or findings of guilty shall be prior to the date of commission of the present offense.

13. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilty, to assess and declare the punishment as part of its verdict in cases of prior offenders or persistent offenders.

14. Evidence of prior convictions shall be heard and determined by the trial court out of the hearing of the jury prior to the submission of the case to the jury, and shall include but not be limited to evidence of convictions received by a search of the records of the Missouri uniform law enforcement system maintained by the Missouri state highway patrol. After hearing the evidence, the court shall enter its findings thereon. A conviction of a violation of a municipal or county ordinance in a county or municipal court for driving while intoxicated or a conviction or a plea of guilty or a finding of guilty followed by a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in a state court shall be treated as a prior conviction.

577.041. 1. If a person under arrest, or who is less than twenty-one years of age when stopped for any reason, refuses upon the request of the [arresting] officer to submit to any test allowed [under] pursuant to section 577.020, then none shall be given and evidence of the refusal shall be admissible in a proceeding [under] pursuant to section 565.024 or 565.060, RSMo, or section 577.010 or 577.012. The request of the arresting officer shall include the reasons of the officer for requesting the person to submit to a test and also shall inform the person that evidence of [his] refusal to take the test may be used against [him] such person and that [his] the person's license shall be immediately revoked upon [his] refusal to take the test. If a person when requested to submit to any test allowed [under] pursuant to section 577.020 requests to speak to an attorney, [he] the person shall be granted twenty minutes in which to attempt to contact an attorney. If upon the completion of the twenty-minute period the person continues to refuse to submit to any test, it shall be deemed a refusal. In this event, the [arresting] officer shall, on behalf of the director of revenue, serve the notice of license revocation personally upon the [arrested] person and shall take possession of any license to operate a motor vehicle issued by this state which is held by that person. The arresting officer shall issue a temporary permit, on behalf of the director of revenue, which is valid for fifteen days and shall also give the person a notice of [his] such person's right to file a petition for review to contest the license revocation.

2. The [arresting] officer shall make a sworn report to the director of revenue, which shall include the following:

(1) That the officer either has reasonable grounds to believe that the arrested person was driving a motor vehicle while in an intoxicated condition or the person is under the age of twenty-one and is stopped or detained for any reason by a law enforcement officer who during such stop or detention has reasonable grounds to believe such person was driving a motor vehicle with an amount of alcohol in the person's blood that would require a notice of suspension or revocation pursuant to sections 302.500 to 302.541, RSMo;

(2) That the [arrested] person refused to submit to a chemical test;

(3) Whether the officer secured the license to operate a motor vehicle of the person;

(4) Whether the officer issued a fifteen-day temporary permit;

(5) Copies of the notice of revocation, the fifteen-day temporary permit and the notice of the right to file a petition for review, which notices and permit may be combined in one document; and

(6) Any license to operate a motor vehicle which the officer has taken into possession.

3. Upon receipt of the officer's report, the director shall revoke the license of the person refusing to take the test for a period of one year; or if the person [arrested be] is a nonresident, [his] such person's operating permit or privilege shall be revoked for one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a period of one year.

4. If a person's license has been revoked because of [his] the person's refusal to submit to a chemical test, [he] such person may petition for a hearing before a [court of record] circuit or associate circuit court in the county in which the arrest occurred. The person may request such court to issue an order staying the revocation until such time as the petition for review can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a form prescribed by the director of revenue and shall send a copy of such order to the director. Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the director shall maintain possession of the person's license to operate a motor vehicle until termination of any revocation [under] pursuant to this section. Upon [his] the person's request the clerk of the court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the hearing on behalf of the director of revenue. At the hearing the [judge] court shall determine only:

(1) Whether or not the person was arrested, stopped or detained;

(2) Whether or not either the arresting officer had reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated condition or the person was under the age of twenty-one and the officer who stopped or detained the person had during such stop or detention reasonable grounds to believe such person was driving a motor vehicle with an amount of alcohol in the person's blood that would require a notice of suspension or revocation pursuant to sections 302.500 to 302.541, RSMo; and

(3) Whether or not the person refused to submit to the test.

5. If the [judge] the court determines any issue not to be in the affirmative, [he] the court shall order the director to reinstate the license or permit to drive.

6. Requests for review as provided in this section shall go to the head of the docket of the court wherein filed.

7. No person who has had a license to operate a motor vehicle suspended or revoked [under] pursuant to the provisions of this section shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 577.001, except the department or the court may waive such requirement upon completion of a comparable program or upon good cause shown or the court may waive such requirement upon good cause shown. The court in making this determination shall consider the person's driving record, the circumstances surrounding the offense and the likelihood of the person committing a like offense in the future. Assignment recommendations, based upon the needs assessment as described in subdivision (21) of section 302.010, RSMo, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517, RSMo, after reviewing such assessment. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Such assessment and compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

8. The fees for the substance abuse traffic offender program, or a portion thereof to be determined by the division of alcohol and drug abuse of the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee of sixty dollars. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. The supplemental fees received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053, RSMo.".

On motion of Representative Hosmer, House Amendment No. 3 was adopted.

Representative Schilling offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the title, Lines 6 to 8 of said page, by deleting all of said lines and inserting in lieu thereof the following: "302.020, 302.138, 302.302, 302.505, 302.510, 302.520, 302.541, 303.024, 303.025, 303.026, 303.030, 304.015, 304.017, 307.350, 307.375,

577.012 and 577.037, RSMo Supp. 1997, relating to the"; and

Further amend said bill, Page 1, In the title, Line 10 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "thirty-three"; and

Further amend said bill, Page 1, Section A, Lines 18 to 19 of said page, by deleting all of said lines and inserting in lieu thereof the following: "302.020, 302.138, 302.302, 302.505, 302.510, 302.520, 302.541, 303.024, 303.025, 303.026, 303.030, 304.015, 304.017, 307.350, 307.375, 577.012 and 577.037, RSMo Supp. 1997, are"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "thirty-three"; and

Further amend said bill, Page 1, Section A, Line 21 of said page, by inserting after the figure "302.302," the following: "302.505, 302.510, 302.520, 302.541,"; and

Further amend said bill, Page 2, Section A, Line 3 of said page, by inserting after the figure "307.390," the following: "577.012, 577.037,"; and

Further amend said bill, Page 6, Section 302.302, Line 16 of said page, by deleting the word "ten-hundredths" and inserting in lieu thereof the following: "[ten-hundredths] eight-hundredths"; and

Further amend said bill, Page 6, Section 302.302, Line 18 of said page, by deleting the word "ten-hundredths" and inserting in lieu thereof the following: "[ten-hundredths] eight-hundredths"; and

Further amend said bill, Page 9, Section 302.302, Line 8 of said page, by inserting after all of said line the following:

"302.505. 1. The department shall suspend or revoke the license of any person upon its determination that the person was arrested upon probable cause to believe such person was driving a motor vehicle while the alcohol concentration in the person's blood, breath, or urine was [ten-hundredths] eight-hundredths of one percent or more by weight, based on the definition of alcohol concentration in section 302.500, or where such person was less than twenty-one years of age when stopped and was stopped upon probable cause to believe such person was driving while intoxicated in violation of section 577.010, RSMo, or driving with excessive blood alcohol content in violation of section 577.012, RSMo, or upon probable cause to believe such person violated a state, county or municipal traffic offense and such person was driving with a blood alcohol content of two-hundredths of one percent or more by weight.

2. The department shall make a determination of these facts on the basis of the report of a law enforcement officer required in section 302.510, and this determination shall be final unless a hearing is requested and held. If a hearing is held, the department shall review the matter and make a final determination on the basis of evidence received at the hearing.

3. The determination of these facts by the department is independent of the determination of the same or similar facts in the adjudication of any criminal charges arising out of the same occurrence. The disposition of those criminal charges shall not affect any suspension or revocation under this section.

302.510. 1. Except as provided in subsection 3 of this section, a law enforcement officer who arrests any person for a violation of any state statute related to driving while intoxicated or for a violation of a county or municipal ordinance prohibiting driving while intoxicated or a county or municipal alcohol related traffic offense, and in which the alcohol concentration in the person's blood, breath, or urine was [ten-hundredths] eight-hundredths of one percent or more by weight or two-hundredths of one percent or more by weight for anyone less than twenty-one years of age, shall forward to the department a verified report of all information relevant to the enforcement action, including information which adequately identifies the arrested person, a statement of the officer's grounds for belief that the person violated any state statute related to driving while intoxicated or was less than twenty-one years of age and was driving with two-hundredths of one percent or more by weight of alcohol in the person's blood, or a county or municipal ordinance prohibiting driving while intoxicated or a county or municipal alcohol related traffic offense, a report of the results of any chemical tests which were conducted, and a copy of the citation and complaint filed with the court.

2. The report required by this section shall be made on forms supplied by the department or in a manner specified by regulations of the department.

3. A county or municipal ordinance prohibiting driving while intoxicated or a county or municipal alcohol related traffic offense may not be the basis for suspension or revocation of a driver's license pursuant to sections 302.500 to 302.540, unless the arresting law enforcement officer, other than an elected peace officer or

official, has been certified by the director of the department of public safety pursuant to the provisions of sections 590.100 to 590.180, RSMo.

302.520. 1. Whenever the chemical test results are available to the law enforcement officer while the arrested person is still in custody, and where the results show an alcohol concentration of [ten-hundredths] eight-hundredths of one percent or more by weight of alcohol in such person's blood or where such person is less than twenty-one years of age and the results show that there is two-hundredths of one percent or more of alcohol in the person's blood, the officer, acting on behalf of the department, shall serve the notice of suspension or revocation personally on the arrested person.

2. When the law enforcement officer serves the notice of suspension or revocation, the officer shall take possession of any driver's license issued by this state which is held by the person. When the officer takes possession of a valid driver's license issued by this state, the officer, acting on behalf of the department, shall issue a temporary permit which is valid for fifteen days after its date of issuance and shall also give the person arrested a notice which shall inform the person of all rights and responsibilities pursuant to sections 302.500 to 302.540. The notice shall be in such form so that the arrested person may sign the original as evidence of receipt thereof. The notice shall also contain a detachable form permitting the arrested person to request a hearing. Signing the hearing request form and mailing such request to the department shall constitute a formal application for a hearing.

3. A copy of the completed notice of suspension or revocation form, a copy of any completed temporary permit form, a copy of the notice of rights and responsibilities given to the arrested person, including any request for hearing, and any driver's license taken into possession pursuant to this section shall be forwarded to the department by the officer along with the report required in section 302.510.

4. The department shall provide forms for notice of suspension or revocation, for notice of rights and responsibilities, for request for a hearing and for temporary permits to law enforcement agencies.

302.541. 1. In addition to other fees required by law, any person who has had a license to operate a motor vehicle suspended or revoked following a determination, pursuant to section 302.505, or section 577.010, 577.012, 577.041 or 577.510, RSMo, or any county or municipal ordinance, where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney, that such person was driving while intoxicated or with a blood alcohol content of [ten-hundredths] eight-hundredths of one percent or more by weight or, where such person was at the time of the arrest less than twenty-one years of age and was driving with a blood alcohol content of two-hundredths of one percent or more by weight, shall pay an additional fee of twenty-five dollars prior to the reinstatement or reissuance of the license.

2. Any person less than twenty-one years of age whose driving privilege has been suspended or revoked solely for a first determination pursuant to sections 302.500 to 302.540 that such person was driving a motor vehicle with two-hundredths of one percent or more blood alcohol content is exempt from filing proof of financial responsibility with the department of revenue in accordance with chapter 303, RSMo, as a prerequisite for reinstatement of driving privileges or obtaining a restricted driving privilege as provided by section 302.525."; and

Further amend said bill, Page 57, Section 307.390, Line 8 of said page, by inserting after all of said line the following:

"577.012. 1. A person commits the crime of "driving with excessive blood alcohol content" if such person operates a motor vehicle in this state with [ten-hundredths] eight-hundredths of one percent or more by weight of alcohol in such person's blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041.

3. For the first offense, driving with excessive blood alcohol content is a class C misdemeanor.

577.037. 1. Upon the trial of any person for violation of any of the provisions of section 565.024, RSMo, or section 565.060, RSMo, or section 577.010 or 577.012, or upon the trial of any criminal action or violations of county or municipal ordinances or in any license suspension or revocation proceeding pursuant to the provisions of chapter 302, RSMo, arising out of acts alleged to have been committed by any person while driving a motor vehicle while in an intoxicated condition, the amount of alcohol in the person's blood at the time of the act alleged as shown by any chemical analysis of the person's blood, breath, saliva or urine is admissible in evidence and the provisions of subdivision (5) of section 491.060, RSMo, shall not prevent the admissibility or introduction of such evidence if otherwise admissible. If there was [ten-hundredths] eight-hundredths of one percent or more by weight of alcohol in the person's blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen was taken.

2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or grams of alcohol per two hundred ten liters of breath.

3. The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was intoxicated.

4. A chemical analysis of a person's breath, blood, saliva or urine, in order to give rise to the presumption or to have the effect provided for in subsection 1 of this section, shall have been performed as provided in sections 577.020 to 577.041 and in accordance with methods and standards approved by the state department of health.

5. Any charge alleging a violation of section 577.010 or 577.012 or any county or municipal ordinance prohibiting driving while intoxicated or driving under the influence of alcohol shall be dismissed with prejudice if a chemical analysis of the defendant's breath, blood, saliva, or urine performed in accordance with sections 577.020 to 577.041 and rules promulgated thereunder by the state department of health demonstrate that there was less than [ten-hundredths] eight-hundredths of one percent of alcohol in the defendant's blood unless one or more of the following considerations cause the court to find a dismissal unwarranted:

(1) There is evidence that the chemical analysis is unreliable as evidence of the defendant's intoxication at the time of the alleged violation due to the lapse of time between the alleged violation and the obtaining of the specimen;

(2) There is evidence that the defendant was under the influence of a controlled substance, or drug, or a combination of either or both with or without alcohol; or

(3) There is substantial evidence of intoxication from physical observations of witnesses or admissions of the defendant.".

Representative Koller offered House Substitute Amendment No. 1 for House Amendment No. 4.

House Substitute Amendment No. 1

for

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 61, Section 6, Line 15, by inserting after said line the following:

"Section 7. Upon the effective date of this bill, all motor vehicles licensed in the state of Missouri shall be equipped with an ignition interlock device calibrated at the level of .05 of one percent, notwithstanding 577.600 to 577.614, RSMo.".

HCS HB 1317, with House Substitute Amendment No. 1 for House Amendment No. 4, House Amendment No. 4 and HS, as amended, pending, was laid over.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Bridgett Baker, Whitney Werner, Aaron Bohnert and Lee Strickert.

RESOLUTIONS

Representative McLuckie offered House Resolution No. 760, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hosmer offered House Resolution No. 761, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 762, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Barry offered House Resolution No. 763, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Hosmer and Graham offered House Resolution No. 764, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kreider offered House Resolution No. 765, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 766, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gross offered House Resolution No. 767, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Linton offered House Resolution No. 768, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Froelker offered House Resolution No. 769, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cooper offered House Resolution No. 770, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bray offered House Resolution No. 771, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Steen offered House Resolution No. 772, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution No. 773, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Days offered House Resolution No. 774, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Carter offered House Resolution No. 775, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Secrest offered House Resolution No. 776, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 777, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 778, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kissell offered House Resolution No. 779, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Shields and Lograsso offered House Resolution No. 780, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Graham offered House Resolution No. 781, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith offered House Resolution No. 782, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative DeMarce offered House Resolution No. 783, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hollingsworth offered House Resolution No. 784, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ransdall offered House Resolution No. 785, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution No. 786, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kasten offered House Resolution No. 787, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hickey offered House Resolution No. 788, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sallee offered House Resolution No. 789, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Froelker offered House Resolution No. 790, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Legan offered House Resolution No. 791 and House Resolution No. 792, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Alter offered House Resolution No. 793 through House Resolution No. 806, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Graham offered House Resolution No. 807, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Nordwald offered House Resolution No. 808, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Secrest offered House Resolution No. 809, which was referred to the Committee on Miscellaneous Bills and Resolutions.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HBs 1237, 1409, 1166, 1154 & 1491 - Budget (Fiscal Note)

THIRD READING OF HOUSE BILLS

HS HCS HB 1198, relating to insurance brokers, agents and administrators, was taken up by Representative Auer.

On motion of Representative Auer, HS HCS HB 1198 was read the third time and passed by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Marble May 108 Mays 50

McBride McClelland Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Bauer Cierpiot Dolan Donovan Harlan

Hickey Kasten Kreider Lograsso Luetkenhaus

McLuckie Sallee Shear Skaggs

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Lawson moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

HS HCS HB 971, relating to juvenile court improvement act, was taken up by Representative Smith.

On motion of Representative Smith, HS HCS HB 971 was read the third time and passed by the following vote:

AYES: 090

Alter Backer Ballard Barnett Bartelsmeyer

Berkstresser Boatright Boucher Burton Clayton

Cooper Copeland Crawford Crump Davis 122

DeMarce Donovan Dougherty Elliott Farnen

Fitzwater Foster Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Griesheimer Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hohulin Holand Hollingsworth Hosmer

Howerton Johnson Kasten Kelly 27 Klindt

Koller Kreider Lawson Leake Legan

Long Marble McBride Merideth Miller

Naeger Nordwald Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Relford

Richardson Rizzo Robirds Sallee Schilling

Schwab Scott Seigfreid Shields Skaggs

Smith Steen Stokan Summers Surface

Thomason 163 Townley Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 069

Akin Auer Barry 100 Bartlett Bauer

Bennett Bland Bonner Bray 84 Broach

Campbell Carter Champion Chrismer Cierpiot

Daniel 42 Daniels 41 Davis 63 Days Edwards-Pavia

Enz Evans Foley Ford Franklin

Green Gross Gunn Hagan-Harrell Hall

Hickey Hilgemann Hoppe Kauffman Kelley 47

Kennedy Kissell Lakin Levin Liese

Linton Lograsso Loudon Luetkenhaus May 108

Mays 50 McClelland Monaco Murphy Murray

O'Connor O'Toole Ostmann Reinhart Reynolds

Ridgeway Ross Scheve Secrest Shear

Sheldon 104 Shelton 57 Stoll Stroker Thompson 37

Thompson 72 Treadway Troupe Van Zandt

PRESENT: 000

ABSENT WITH LEAVE: 003

Dolan Harlan McLuckie

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Seigfreid, title to the bill was agreed to.

Representative Ransdall moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL - INFORMAL

HS HCS HB 1323, relating to credit unions, was taken up by Representative Green.

On motion of Representative Green, HS HCS HB 1323 was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniels 41 Davis 122
Davis 63 Days DeMarce Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shear Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 001

Merideth

PRESENT: 005

Campbell Gibbons Hegeman Hoppe Linton

ABSENT WITH LEAVE: 003

Daniel 42 Dolan McLuckie

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bartlett, title to the bill was agreed to.

Representative Copeland moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider resumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 1317, with House Substitute Amendment No. 1 for House Amendment No. 4, House Amendment No. 4 and HS, as amended, pending, relating to operation of motor vehicles, was again taken up by Representative Fritts.

Representative Schilling raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 4 is not a true substitute amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Koller, House Substitute Amendment No. 1 for House Amendment No. 4 was adopted.

Representative Williams (121) offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 61, Line 16, by deleting lines 16, 17 and 18, and inserting in lieu thereof the following:

"302.138. The provisions of sections 302.133 to 302.137 shall terminate on August 28, 2002"; and

Further amend said bill, page 4, line 6, by inserting "and all terrain vehicles".

Representative Lograsso requested a division of the question.

House Amendment No. 5

PART I

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 61, Line 16, by deleting lines 16, 17 and 18, and inserting in lieu thereof the following:

"302.138. The provisions of sections 302.133 to 302.137 shall terminate on August 28, 2002".

On motion of Representative Williams (121), Part I of House Amendment No. 5 was adopted.

House Amendment No. 5

PART II

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 4, Line 6, by inserting "and all terrain vehicles".

Representative Lograsso offered House Substitute Amendment No. 1 for Part II of House Amendment No. 5.

House Substitute Amendment No. 1

for

Part II

of

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 4, Section 302.020, Line 4 of said page, by inserting after the word "person" the following: "under the age of twenty-one years".

On motion of Representative Lograsso, House Substitute Amendment 1 for Part II of House Amendment No. 5 was adopted by the following vote:

AYES: 104

Backer Ballard Bartelsmeyer Bennett Berkstresser

Boatright Bonner Broach Burton Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 DeMarce Dolan Edwards-Pavia Elliott

Enz Evans Farnen Foley Ford

Foster Froelker Gaston Gratz Griesheimer

Gross Hagan-Harrell Hall Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hohulin

Hoppe Howerton Johnson Kelley 47 Kelly 27

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Linton Lograsso

Long Loudon Marble Mays 50 McBride

Merideth Miller Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Richardson Ridgeway Rizzo Robirds

Ross Scheve Scott Secrest Seigfreid

Sheldon 104 Shields Steen Summers Thomason 163

Thompson 37 Townley Treadway Troupe Vogel

Wannenmacher Wiggins Williams 159 Wooten

NOES: 054

Akin Alter Auer Barnett Barry 100

Bartlett Bauer Bland Boucher Bray 84

Campbell Carter Days Donovan Dougherty

Fitzwater Franklin Fritts Gaskill Gibbons

Graham 106 Graham 24 Green Gunn Harlan

Hilgemann Holand Hollingsworth Hosmer Kasten

Kauffman Kennedy Levin Liese Luetkenhaus

May 108 McClelland Murphy Murray Reynolds

Sallee Schilling Schwab Shear Shelton 57

Skaggs Smith Stoll Stroker Surface

Thompson 72 Van Zandt Williams 121 Wilson

PRESENT: 000

ABSENT WITH LEAVE: 004

McLuckie Monaco Stokan Mr. Speaker

VACANCIES: 001

Representative Scheve assumed the Chair.

Representative May (108) offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 61, Section 6, by deleting all of said lines 6 - 15, and inserting in lieu thereof the following:

"Section 6. Any peace officer certified pursuant to chapter 590, RSMo, and who is authorized to respond to a request for assistance at the scene of an accident or other incident where injuries are involved and responds to such accident or incident, shall have the same immunity from liability outside such officer's jurisdiction as the officer would have if the site of the accident or incident was within the officer's jurisdiction. It is the public policy of the state of Missouri that no policy of insurance which covers a peace officer's acts which may be negligent or otherwise tortious shall exclude or deny coverage because such officer's acts occurred outside the officer's jurisdiction or venue.".

Representative Fritts raised a point of order that House Amendment No. 6 is not germane to the bill.

Representative Scheve requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative May (108), House Amendment No. 6 was adopted by the following vote:

AYES: 089

Alter Auer Backer Barry 100 Bartlett

Bauer Bland Bonner Boucher Bray 84

Broach Burton Campbell Carter Clayton

Copeland Crump Daniel 42 Davis 122 Davis 63

Days DeMarce Donovan Dougherty Farnen

Fitzwater Foley Ford Franklin Fritts

Graham 24 Gunn Hagan-Harrell Harlan Heckemeyer

Hickey Hilgemann Hollingsworth Hoppe Hosmer

Johnson Kauffman Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Luetkenhaus May 108

Mays 50 Merideth Monaco Murray O'Connor

O'Toole Overschmidt Parker Ransdall Relford

Reynolds Rizzo Ross Scheve Schilling

Seigfreid Shear Sheldon 104 Shelton 57 Skaggs

Smith Stokan Stoll Stroker Surface

Thomason 163 Thompson 72 Troupe Van Zandt Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 067

Akin Ballard Barnett Bartelsmeyer Bennett

Berkstresser Boatright Champion Chrismer Cierpiot

Cooper Crawford Daniels 41 Dolan Edwards-Pavia

Elliott Enz Evans Foster Froelker

Gaskill Gaston Gibbons Graham 106 Gratz

Griesheimer Gross Hall Hartzler 123 Hartzler 124

Hegeman Hendrickson Hohulin Holand Howerton

Kasten Kelley 47 Klindt Linton Lograsso

Long Loudon Marble McBride McClelland

Miller Murphy Naeger Nordwald Ostmann

Patek Pouche Pryor Reinhart Richardson

Ridgeway Robirds Sallee Schwab Scott

Secrest Shields Summers Townley Vogel

Wannenmacher Wooten

PRESENT: 001

Thompson 37

ABSENT WITH LEAVE: 005

Green McLuckie Purgason Steen Treadway

VACANCIES: 001

Representative Kissell offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 17, Section 303.030, Line 19, by inserting after the period "." at the end of said line the following: "If there is an accident which results in no physical bodily injury and damage to property is less than five hundred dollars and an operator cannot furnish proof of insurance, the police officer shall seize the license plate of the motor vehicle of the operator who cannot furnish proof of insurance and hold such license plate for forty-eight hours before forwarding the report if the person does not furnish proof of insurance within such forty-eight hours. If an accident results in physical injury or damage to property of more than five hundred dollars and an operator cannot furnish proof of insurance, the police officer shall seize the motor vehicle of the operator who cannot furnish proof of insurance and hold such motor vehicle for forty-eight hours before forwarding the report if the person does not furnish proof of insurance within such forty-eight hours. In both cases where there is no physical bodily injury or there is physical bodily injury or where property damage is more than or less than five hundred dollars, the police officer shall file a report with the director of revenue who after failure to show that the responsible party has taken care of all claims within one hundred twenty days, may take possession of the motor vehicle and sell such motor vehicle by auction.".

On motion of Representative Kissell, House Amendment No. 7 was adopted by the following vote:

AYES: 094

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bennett Boatright Boucher

Bray 84 Broach Chrismer Copeland Crawford

Dolan Donovan Dougherty Edwards-Pavia Enz

Evans Farnen Fitzwater Foley Foster

Franklin Froelker Gaskill Gaston Gibbons

Graham 106 Gratz Green Griesheimer Gross

Hagan-Harrell Hall Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Johnson Kasten

Kauffman Kelley 47 Kennedy Kissell Kreider

Lawson Levin Liese Linton Loudon

Luetkenhaus Marble May 108 McClelland Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Patek Pryor Purgason

Ransdall Reinhart Reynolds Rizzo Robirds

Sallee Schwab Scott Sheldon 104 Shields

Steen Stokan Stoll Townley Treadway

Vogel Wannenmacher Wooten Mr. Speaker

NOES: 055

Bartelsmeyer Bartlett Bauer Berkstresser Bland

Bonner Burton Campbell Carter Champion

Cierpiot Clayton Cooper Davis 122 Davis 63

Days DeMarce Elliott Fritts Graham 24

Gunn Heckemeyer Howerton Kelly 27 Klindt

Lakin Legan Lograsso Long Mays 50

McBride Merideth Miller Monaco Parker

Pouche Ridgeway Ross Schilling Secrest

Seigfreid Shear Shelton 57 Skaggs Smith

Stroker Summers Surface Thomason 163 Thompson 72

Troupe Van Zandt Wiggins Williams 159 Wilson

PRESENT: 001

Thompson 37

ABSENT WITH LEAVE: 012

Crump Daniel 42 Daniels 41 Ford Harlan

Koller Leake McLuckie Relford Richardson

Scheve Williams 121

VACANCIES: 001

Representative Howerton offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 61, Section 6, Line 16, by inserting:

"Section 7. Any person who has installed an air-bag on-off switch in his or her motor vehicle after having obtained written approval from the National Highway Traffic Safety Administration, or the driver of such vehicle, shall be held harmless for any civil damages which result because the air-bag switch was either in the "on" or "off" position, unless the positioning of the air-bag switch resulted from a failure of such person to exercise the highest degree of care.

2. Any person who owns a vehicle which has a factory installed air-bag on-off switch or the driver of such vehicle shall be held harmless for any civil damages which result because the air-bag switch was either in the "on" or "off" position, unless the positioning of the air-bag switch resulted from a failure of such person to exercise the highest degree of care.

3. Any authorized motor vehicle dealer or other authorized motor vehicle repair shop or any employee of such business who, in the exercise of ordinary care, installs a non-defective air-bag on-off switch or sells a motor vehicle with a factory installed non-defective on-off switch shall be held harmless for any civil damages which result because the air-bag switch was either in the "on" or "off" position, unless such positioning was a result of the failure of the motor vehicle dealer, the motor vehicle repair shop, or an employee of such businesses, to exercise ordinary care in the positioning of the switch.".

On motion of Representative Howerton, House Amendment No. 8 was adopted.

Representative Patek offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the Title, Line 6 of said page, by inserting after the figure "302.020," the figure "302.060,"; and

Further amend said bill, Page 1, In the Title, Line 6 of said page, by inserting after the figure "302.302," the figure "302.309,"; and

Further amend said bill, Page 1, In the Title, Line 10 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 1, Section A, Line 18 of said page, by inserting after the figure "302.020," the figure "302.060,"; and

Further amend said bill, Page 1, Section A, Line 18 of said page, by inserting after the figure "302.302," the figure "302.309"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 1, Section A, Line 21 of said page, by deleting the figure "302.302," and inserting in lieu thereof the figures "302.060, 302.302, 302.309,"; and

Further amend said bill, Page 4, Section 302.020, Line 19 of said page, by inserting after all of said line the following:

"302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, RSMo, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, RSMo, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the judge in such cases was an attorney and the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; [except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction. If the court finds that the petitioner has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;]

(10) To any person who has been convicted twice within a five-year period of violating state law, or a county or municipal ordinance where the judge in such cases was an attorney and the defendant was represented by or waived the right to an attorney in writing, of driving while intoxicated, or who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. The director shall not issue a license to such person for five years from the date such person was convicted for involuntary manslaughter while operating a motor vehicle in an intoxicated condition or for driving while intoxicated for the second time. Any person who has been denied a license for two convictions of driving while intoxicated prior to July 27, 1989, shall have the person's license issued, upon application, unless the two convictions occurred within a five-year period, in which case, no license shall be issued to the person for five years from the date of the second conviction;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, RSMo, or section 544.046, RSMo.

2. Any person to whom the director is unauthorized to issue a license pursuant to subdivision (9) of subsection 1 of this section shall be ineligible to receive a hardship, limited or restricted driving privilege pursuant to section 302.309."; and

Further amend said bill, Page 9, Section 302.302, Line 8 of said page, by inserting after all of said line the following:

"302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303, RSMo.

2. Any operator whose license is revoked under these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts or the director of revenue shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privileges shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) A business, occupation, or employment;

(b) Seeking medical treatment for such operator;

(c) Attending school or other institution of higher education;

(d) Attending alcohol or drug treatment programs; or

(e) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privileges the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privileges, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303, RSMo. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, RSMo, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303, RSMo, for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303, RSMo, for that vehicle.

(4) The court order or the director's grant of the limited driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points under the provisions of section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle under the authority of a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(5) Except as provided in subdivision (6) of this subsection, no person is eligible to receive hardship driving privilege whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, RSMo, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, RSMo, or having left the scene of an accident as provided in section 577.060, RSMo;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041, RSMo, or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041, RSMo, or a similar implied consent law of any other state;

(g) Disqualification of a commercial driver's license pursuant to sections 302.700 to 302.780, however, nothing in this subsection shall prevent a person holding a commercial driver's license who is suspended or revoked as a result of an action occurring while not driving a commercial motor vehicle or driving for pay, but while driving in an individual capacity as an operator of a personal vehicle from applying for hardship driving privileges to operate a commercial vehicle, if otherwise eligible for such hardship privilege; or

(h) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for limited driving privileges; or due to a revocation under subsection 2 of section 302.525 if such person has not completed such revocation;

(i) Has been convicted of more than two alcohol-related convictions pursuant to subdivision (9) of subsection 1

of section 302.060.

(6) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for limited driving privileges pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) A circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years, as prescribed in subdivision (10) of section 302.060, to apply for limited driving privileges pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privileges pursuant to the provisions of this subdivision.

4. Any person who has received notice of denial of a request of limited driving privileges by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privileges.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section.".

Representative Patek moved that House Amendment No. 9 be adopted.

Which motion was defeated.

Representative Hohulin offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the Title, Line 6, by inserting immediately after the figure "302.138," the figures "302.171, 302.181,"; and

Further amend said bill, Page 1, In the Title, Line 10, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 1, Section A, Line 18, by inserting immediately after the figure "302.138," the figures "302.171, 302.181,"; and

Further amend said bill, Page 1, Section A, Line 6 from the top of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 1, Section A, Line 21, by inserting immediately after the figure "302.020," the figures "302.171, 302.181,"; and

Further amend said bill, Page 4, Section 302.020, Line 19, by inserting immediately after all of said line the following:

"302.171. 1. Application for a license shall be made upon an approved form furnished by the director. Every application shall state the full name, [social security number,] age, height, weight, color of eyes, color of hair, sex, residence, mailing address of the applicant, and the classification for which the applicant has been

licensed, and, if so, when and by what state, and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation or disqualification and whether the applicant is making a one dollar donation to promote an organ donation program as prescribed in subsection 2 of this section. An applicant shall neither be required to furnish the applicant's social security number to the director when applying for a noncommercial driver's license nor shall the director request such social security number. The application shall also contain such information as the director may require to enable the director to determine the applicant's qualification for driving a motor vehicle; and shall state whether or not the applicant has been convicted in this or any other state for violating the laws of this or any other state or any ordinance of any municipality, relating to careless driving, or driving while intoxicated, or failing to stop after an accident and disclosing the applicant's identity, or driving a motor vehicle without the owner's consent. The application shall contain a certification by the applicant as to the truth of the facts stated therein. Every person who applies for a license to operate a motor vehicle who is less than twenty-one years of age shall be provided with educational materials relating to the hazards of driving while intoxicated, including information on penalties imposed by law for violation of the intoxication-related offenses of the state.

2. An applicant for a license may make a donation of one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund established in sections 194.297 to 194.304, RSMo. Moneys in the organ donor program fund shall be used solely for the purposes established in sections 194.297 to 194.304, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall make available an informational booklet or other informational sources on the importance of organ donations to applicants for licensure as designed by the organ donation advisory committee established in sections 194.297 to 194.304, RSMo. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection and whether the applicant is interested in making an organ donation and shall also specifically inform the licensee of the ability to make an organ donation by completing the form on the reverse of the license that the applicant will receive in the manner prescribed by subsection 6 of section 194.240, RSMo. The director shall notify the department of health of information obtained from applicants who indicate to the director that they are interested in making organ donations, and the department of health shall enter the complete name, address, date of birth, race, gender and a unique personal identifier in the registry established in subsection 1 of section 194.304, RSMo.

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge or duplicate any license without ready detection. All commercial drivers' licenses shall bear the licensee's social security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a social security number, or, if applicable, a certified statement [must] shall be submitted as provided in subsection 4 [or 5] of this section. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored photograph of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240, RSMo, the name and address of the person designated pursuant to sections 404.800 to 404.865, RSMo, as the licensee's attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. For all commercial drivers' licenses issued or renewed after March 1, 1992, the applicant's social security number shall serve as the applicant's license number. Where the commercial driver's licensee has no social security number, or where the licensee is issued a commercial driver's license without a social security number in accordance with subsection 4 [or 5] of this section, or for all noncommercial drivers' licenses, the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a social security number.

2. All film involved in the production of photographs for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. The director of revenue shall issue a commercial driver's license without a social security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement on forms prescribed and made available by the department of revenue which states that the applicant is a member of a specified religious denomination which prohibits the use of identification numbers

by members as being contrary to its religious tenets.

5. [The director of revenue shall issue a noncommercial driver's license without a social security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement that the applicant objects to the display of the social security number on the license. The director shall assign an identification number, that is not based on a social security number, to the applicant which shall be displayed on the license in lieu of the social security number.

6.] The director of revenue shall issue a license without the photograph to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement on forms prescribed and made available by the department of revenue which states that the applicant is a member of a specified religious denomination which prohibits photographs of members as being contrary to its religious tenets. The license shall state thereon that no photograph is required because of the religious affiliation of the licensee. The director of revenue shall establish guidelines and furnish to each circuit court such forms as the director deems necessary to comply with this subsection. The circuit court shall not charge or receive any fee or court cost for the performance of any duty or act pursuant to this subsection.

[7.] 6. The department of revenue may issue a temporary license without the photograph to out-of-state applicants and members of the armed forces, except that where such temporary license is issued it shall be valid only until the applicant shall have had time to appear and have his or her picture taken and a license with his or her photograph issued.

[8.] 7. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information as is on the driver's license upon payment of seven dollars and fifty cents if the applicant is under the age of sixty-five. An applicant who is sixty-five years of age or older may purchase a nondriver's license card without a photograph for one dollar or a nondriver's license card with a photograph for seven dollars and fifty cents. The nondriver's license card shall be used for identification purposes only and shall not be valid as a license.

[9.] 8. No rule or portion of a rule promulgated under the authority of this chapter shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided herein, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided herein.

[10.] 9. Upon filing any proposed rule with the secretary of state, the filing agency shall concurrently submit such proposed rule to the committee, which may hold hearings upon any proposed rule or portion thereof at any time.

[11.] 10. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the filing agency may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

[12.] 11. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

(1) An absence of statutory authority for the proposed rule;

(2) An emergency relating to public health, safety or welfare;

(3) The proposed rule is in conflict with state law;

(4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based.

[13.] 12. If the committee disapproves any rule or portion thereof, the filing agency shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

[14.] 13. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratifies the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

[15.] 14. Upon adoption of a rule as provided herein, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the constitution, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037, RSMo. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation.".

On motion of Representative Hohulin, House Amendment No. 10 was adopted by the following vote:

AYES: 114

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bennett Berkstresser

Boatright Bonner Bray 84 Broach Burton

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniels 41 Davis 63

DeMarce Dolan Donovan Edwards-Pavia Elliott

Enz Evans Farnen Ford Foster

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hall Hartzler 123 Hartzler 124

Heckemeyer Hendrickson Hohulin Howerton Johnson

Kasten Kauffman Kelley 47 Kennedy Kissell

Klindt Lawson Leake Legan Levin

Liese Linton Loudon Luetkenhaus Marble

McBride McClelland Merideth Miller Monaco

Naeger Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Ridgeway Rizzo Robirds Sallee Scheve

Schwab Scott Secrest Seigfreid Sheldon 104

Shields Skaggs Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Troupe Vogel Wannenmacher

Williams 159 Wilson Wooten Mr. Speaker

NOES: 038

Bauer Bland Boucher Campbell Carter

Daniel 42 Davis 122 Days Dougherty Fitzwater

Franklin Hagan-Harrell Harlan Hilgemann Holand

Hollingsworth Hoppe Hosmer Kelly 27 Kreider

Lakin May 108 Mays 50 Murphy Murray

O'Connor O'Toole Relford Reynolds Ross

Schilling Shear Shelton 57 Smith Thompson 37

Van Zandt Wiggins Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer Foley Hegeman Hickey Koller

Lograsso Long McLuckie Nordwald Richardson

VACANCIES: 001

Representative Shields offered House Amendment No. 11.

Representative Fritts raised a point of order that House Amendment No. 11 is not germane to the bill.

Representative Scheve requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Townley offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the Title, Line 6, by inserting immediately after the figure "302.020," the figure "302.130,"; and

Further amend said bill, Page 1, In the Title, Line 10, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 18, by inserting immediately after the figure "302.020," the figure "302.130,"; and

Further amend said bill, Page 1, Section A, Line 6 from the top of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 21, by inserting immediately after the figure "302.020," the figure "302.130,"; and

Further amend said bill, Page 4, Section 302.020, Line 19, by inserting immediately after all of said line the following:

"302.130. 1. Any person at least fifteen and one-half years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a temporary instruction permit entitling the applicant, while having such permit in the applicant's immediate possession, to drive a motor vehicle of the appropriate class upon the highways for a period of six months, but any such person, except when operating a motorcycle or motortricycle, must be accompanied by a licensed operator for the type of motor vehicle being operated who is actually occupying a seat beside the driver for the purpose of giving instruction in driving the motor vehicle, and in the case of any driver under sixteen years of age, the licensed operator occupying the seat beside the driver shall be a grandparent, parent or guardian who has a valid driver's license.

2. In the event the parent, grandparent or guardian of the person under sixteen years of age has a physical disability which prohibits or disqualifies said parent, grandparent or guardian from being a qualified licensed operator pursuant to this section, said parent, grandparent or guardian may designate a maximum of two individuals authorized to accompany the applicant for the purpose of giving instruction in driving the motor vehicle. An authorized designee must be a licensed operator for the type of motor vehicle being operated and have attained twenty-one years of age. At least one of the designees must occupy the seat beside the applicant while giving instruction in driving the motor vehicle. The name of the authorized designees must be provided to the department of revenue by the parent, grandparent or guardian at the time of application for the temporary instruction permit. The name of each authorized designee shall be printed on the temporary instruction permit, however, the director may delay the time at which permits are printed bearing such names

until the inventories of blank permits and related forms existing on the effective date of this act are exhausted.

[2.] 3. The director, upon proper application on a form prescribed by the director, in his or her discretion, may issue a restricted instruction permit effective for a school year or more restricted period to an applicant who is enrolled in a high school driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education even though the applicant has not reached the age of sixteen years but has passed the age of fifteen years. Such instruction permit shall entitle the applicant, when the applicant has such permit in his or her immediate possession, to operate a motor vehicle on the highways, but only when a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education is occupying a seat beside the driver.

[3.] 4. The director, in his or her discretion, may issue a temporary driver's permit to an applicant who is otherwise qualified for a license permitting the applicant to operate a motor vehicle while the director is completing the director's investigation and determination of all facts relative to such applicant's rights to receive a license. Such permit must be in the applicant's immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's license has been issued or for good cause has been refused.

5. The director may adopt rules and regulations necessary to carry out the provisions of this section.".

On motion of Representative Townley, House Amendment No. 11 was adopted.

Representative Akin offered House Amendment No. 12.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the Title, Line 7, by inserting immediately after the figure "303.030," the figure "304.010,"; and

Further amend said bill, Page 1, In the Title, Line 10, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 18, by inserting immediately after the figure "303.030," the figure "304.010,"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 2, Section A, Line 1, by inserting immediately after the figure "303.290," the figure "304.010,"; and

Further amend said bill, Page 23, Section 303.290, Line 13, by inserting immediately after all of said line the following:

"304.010. 1. As used in this section, the following terms mean:

(1) "Expressway", a divided highway of at least ten miles in length with four or more lanes which is not part of the federal interstate system of highways which has crossovers or accesses from streets, roads or other highways at the same grade level as such divided highway;

(2) "Freeway", a limited access divided highway of at least ten miles in length with four or more lanes which is not part of the federal interstate system of highways which does not have any crossovers or accesses from streets, roads or other highways at the same grade level as such divided highway within such ten miles of divided highway;

(3) "Rural interstate", that part of the federal interstate highway system that is not located in an urban area;

(4) "Urbanized area", an area of fifty thousand population at a density at or greater than one thousand persons per square mile.

2. Except as otherwise provided in this section, the uniform maximum speed limits are and no vehicle shall be operated in excess of the speed limits established pursuant to this section:

(1) Upon the rural interstates and freeways of this state, seventy miles per hour;

(2) Upon the rural expressways of this state, sixty-five miles per hour;

(3) Upon the interstate highways, freeways or expressways within the urbanized areas of this state, sixty miles per hour;

(4) All other roads and highways in this state not located in an urbanized area and not provided [by] for in subdivisions (1) to (3) of this subsection, sixty miles per hour;

(5) All other roads provided for in subdivision (4) of this subsection shall not include any state two-lane road which is identified by letter. Such lettered roads shall not exceed fifty-five miles per hour unless set at a higher speed as established by the department of highways and transportation, except that no speed limit shall be set higher than sixty miles per hour;

(6) For the purposes of enforcing the speed limit laws of this state, it is a rebuttable presumption that the posted speed limit is the legal speed limit.

3. On any state road or highway where the speed limit is not set pursuant to a local ordinance, the highways and transportation commission may set a speed limit higher or lower than the uniform maximum speed limit provided in subsection 2 of this section, if a higher or lower speed limit is recommended by the department of highways and transportation. The department of public safety, where it believes for safety reasons, or to expedite the flow of traffic a higher or lower speed limit is warranted, may request the department of highways and transportation to raise or lower such speed limit, except that no speed limit shall be set higher than seventy miles per hour.

4. Notwithstanding the provisions of section 304.120 or any other provision of law to the contrary, cities, towns and villages may regulate the speed of vehicles on state roads and highways within such cities', towns' or villages' corporate limits by ordinance with the approval of the state highways and transportation commission. Any reduction of speed in cities, towns or villages shall be designed to expedite the flow of traffic on such state roads and highways to the extent consistent with public safety. The commission may declare any ordinance void if it finds that such ordinance is:

(1) Not primarily designed to expedite traffic flow; and

(2) Primarily designed to produce revenue for the city, town or village which enacted such ordinance.

If an ordinance is declared void, the city, town or village shall have any future proposed ordinance approved by the highways and transportation commission before such ordinance may take effect.

5. The county commission of any county of the second, third or fourth classification may set the speed limit or the weight limit or both the speed limit and the weight limit on roads or bridges on any county, township or road district road in the county and, with the approval of the state highways and transportation commission, on any state road or highway not within the limits of any incorporated city, town or village, lower than the uniform maximum speed limit as provided in subsection 2 of this section where the condition of the road or the nature of the area requires a lower speed. The commission shall send copies of any order establishing a speed limit or weight limit on roads and bridges on a county, township or road district road in the county to the chief engineer of the state department of highways and transportation, the superintendent of the state highway patrol and to any township or road district maintaining roads in the county. After the roads have been properly marked by signs indicating the speed limits and weight limits set by the county commission, the speed limits and weight limits shall be of the same effect as the speed limits provided for in subsection [1] 2 of this section and shall be enforced by the state highway patrol and the county sheriff as if such speed limits and weight limits were established by state law.

6. All road signs indicating speed limits or weight limits shall be uniform in size, shape, lettering and coloring and shall conform to standards established by the department of transportation.

7. The provisions of this section shall not be construed to alter any speed limit set below fifty-five miles per hour by any ordinance of any county, city, town or village of the state adopted before March 13, 1996.

8. The speed limits established pursuant to this section shall not apply to the operation of any emergency vehicle as defined in section 304.022.

9. No truck registered for a gross weight of more than twenty-four thousand pounds shall be operated at any time in excess of sixty-five miles per hour on any highway where the uniform maximum speed limit is seventy miles per hour.

[9.] 10. A violation of the provisions of this section shall not be construed to relieve the parties in any civil action on any claim or counterclaim from the burden of proving negligence or contributory negligence as the proximate cause of any accident or as the defense to a negligence action.

[10.] 11. Any person violating the provisions of this section is guilty of a class C misdemeanor, unless such

person was exceeding the posted speed limit by twenty miles per hour or more then it is a class B misdemeanor.".

Representative Akin moved that House Amendment No. 12 be adopted.

Which motion was defeated.

Representative Smith assumed the Chair.

Representative Hartzler (124) offered House Amendment No. 13.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the Title, Lines 7 and 8, by deleting the following: "307.350 and 307.375" and inserting in lieu thereof the following: "307.350, 307.375 and 577.020"; and

Further amend said bill, Page 1, In the Title, Line 10, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 19, by deleting the following: "307.350 and 307.375" and inserting in lieu thereof the following: "307.350, 307.375 and 577.020"; and

Further amend said bill, Page 1, Section A, Line 6 from the top of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 2, Section A, Line 3, by inserting immediately after the figure "307.390," the figure "577.020,"; and

Further amend said bill, Page 5, Section 302.302, Lines 20 and 21, by deleting all of said lines and inserting in lieu thereof the following:

"(4) Careless and imprudent driving

In violation of section 304.012, RSMo, and there are aggravating circumstances . . . . . 6 points

In violation of subsection 4 of section 304.016, RSMo . . . . . 4 points"; and

Further amend said bill, Page 24, Section 304.012, Line 9, by deleting all of said line and inserting in lieu thereof the following: "involved or there are aggravating circumstances then it shall be a class A misdemeanor. For the purposes of this section, the term "aggravating circumstances" shall be defined as circumstances in which any person suffers death or serious physical injury, as defined in section 565.002, RSMo, as a result of the violation of this section."; and

Further amend said bill, Page 57, Section 307.390, Line 8, by inserting immediately after all of said line the following:

"577.020. 1. Any person who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent to, subject to the provisions of sections 577.020 to 577.041, a chemical test or tests of the person's breath, blood, saliva or urine for the purpose of determining the alcohol or drug content of the person's blood if arrested for any offense arising out of acts which the arresting officer had reasonable grounds to believe were committed while the person was driving a motor vehicle while in an intoxicated or drugged condition[. The test shall be administered at the direction of the arresting law enforcement officer whenever the person has been arrested for the offense], or the person operated a motor vehicle involved in an accident in which any person suffered death or serious physical injury.

2. The implied consent to submit to the chemical tests listed in subsection 1 of this section shall be limited to not more than two such tests arising from the same arrest, incident or charge.

3. Chemical analysis of the person's breath, blood, saliva, or urine to be considered valid pursuant to the

provisions of sections 577.020 to 577.041 shall be performed according to methods approved by the state department of health by licensed medical personnel or by a person possessing a valid permit issued by the state department of health for this purpose.

4. The state department of health shall approve satisfactory techniques, devices, equipment, or methods to be considered valid pursuant to the provisions of sections 577.020 to 577.041 and shall establish standards to ascertain the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination or revocation by the state department of health.

5. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person at the choosing and expense of the person to be tested, administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

6. Upon the request of the person who is tested, full information concerning the test shall be made available to him.

7. Any person given a chemical test of the person's breath pursuant to subsection 1 of this section or a field sobriety test may be videotaped during any such test at the direction of the arresting law enforcement officer. Any such video recording made during the chemical test pursuant to this subsection or a field sobriety test shall be admissible as evidence at either any trial of such person for either a violation of any state law or county or municipal ordinance, or any license revocation or suspension proceeding pursuant to the provisions of chapter 302, RSMo.

8. Any motor vehicle operator deemed to have given consent pursuant to subsection 1 of this section who is involved in an accident in which any person suffers death or serious physical injury, as defined in section 565.002, RSMo, shall be given a test, pursuant to subsection 1 of this section, at the direction of the arresting or responding law enforcement agency or state highway patrol, to determine the alcohol or drug content of the operator's blood.".

On motion of Representative Hartzler (124), House Amendment No. 13 was adopted.

Representative Loudon offered House Amendment No. 14.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the Title, Line 8, by inserting immediately after the figure "304.017," the figure "307.080,"; and

Further amend said bill, Page 1, In the Title, Line 10, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 19, by inserting immediately after the figure "304.017," the figure "307.080,"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 2, Section A, Line 2, by inserting immediately after the figure "307.020," the figure "307.080,"; and

Further amend said bill, Page 36, Section 307.020, Line 2, by inserting immediately after all of said line the following:

"307.080. 1. Any motor vehicle may be equipped with not to exceed [three] four auxiliary lamps mounted on the front at a height not less than twelve inches nor more than forty-two inches above the level surface upon which the vehicle stands.

2. Notwithstanding the provisions of section 307.120, violation of this section is an infraction.".

Representative Loudon moved that House Amendment No. 14 be adopted.

Which motion was defeated.

Representative Froelker offered House Amendment No. 15.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 57, Section 307.390, Line 8, by inserting after said line the following:

"577.012. 1. A person commits the crime of "driving with excessive blood alcohol content" if such person operates a motor vehicle in this state with ten-hundredths of one percent or more by weight of alcohol in such person's blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041.

3. For the first offense, driving with excessive blood alcohol content is a class C misdemeanor.

4. If a person commits the crime of driving with excessive blood alcohol content by operating a motor vehicle with an amount of alcohol in such person's blood which is over the limit established in subsection 1 of this section by ten-hundredths of one percent or more by weight of alcohol, then such person is guilty of a class B misdemeanor."; and

Further amend the title and enacting clause accordingly.

Representative Froelker moved that House Amendment No. 15 be adopted.

Which motion was defeated.

Representative Barnett offered House Amendment No. 16.

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 4, Section 2, Line 6, by inserting after "RSMo," "and every person operating such a motorcycle or motortricycle which has a passenger who is under twenty-one years of age,".

Representative Monaco raised a point of order that House Amendment No. 16 amends previously amended material.

The Chair ruled the point of order not well taken.

On motion of Representative Barnett, House Amendment No. 16 was adopted.

Representative Surface offered House Amendment No. 17.

House Amendment No. 17

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 15, Section 303.026, Line 4, by removing opening bracket on line 4 and further removing closing bracket on line 6.

On motion of Representative Surface, House Amendment No. 17 was adopted.

Representative Kennedy offered House Amendment No. 18.

House Amendment No. 18

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 2, Section 301.074, Line 22, by inserting after said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade- in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of fifteen days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within fifteen days. The director shall issue a temporary permit or paper plate authorizing the operation of a motor vehicle or trailer by a buyer for not more than [twenty] thirty days of the date of purchase.

5. The temporary permit or paper plate shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary plates or permits available to registered dealers in this state in sets of ten plates or permits. The fee for the temporary permit or plate shall be seven dollars and fifty cents for each permit or plate issued. No dealer shall charge more than seven dollars and fifty cents for each permit issued. The permit or plate shall be valid for a period of [twenty] thirty days from the date of [issuance] purchase by the director of revenue to the purchaser of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit or plate as set out above.

6. The permit or plate shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable him to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Permits or paper plates issued under this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit and plate.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the paper plate or permit when issued to the buyer. The dealer shall also insert his dealer's number on the paper plate. Every dealer that issues a temporary permit or paper plate shall keep, for inspection of proper officers, a correct record of each permit or plate issued by him by recording the

permit or plate number, buyer's name and address, year, make, manufacturer's number of vehicle on which the permit or plate is to be used, and the date of issuance.";

Further amend the title and enacting clause accordingly.

On motion of Representative Kennedy, House Amendment No. 18 was adopted.

Representative Hartzler (124) offered House Amendment No. 19.

House Amendment No. 19

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the Title, Line 3, by inserting immediately after the figure "304.230," the figure "304.235,"; and

Further amend said bill, Page 1, In the Title, Line 10, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 18, by inserting immediately after the figure "304.230," the figure "304.235,"; and

Further amend said bill, Page 1, Section A, Line 6 from the top of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 2, Section A, Line 2, by inserting immediately after the figure "304.230," the figure "304.235,"; and

Further amend said bill, Page 34, Section 304.230, Line 14, by inserting immediately after all of said line the following:

"304.235. All commercial motor vehicles shall be required to stop at an official weigh station, except those licensed for a gross weight of not more than [twelve] twenty-four thousand pounds shall not be required to stop unless so directed by a peace officer.".

Representative Legan offered House Substitute Amendment No. 1 for House Amendment No. 19.

House Substitute Amendment No. 1

for

House Amendment No. 19

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the Title, Line 3, by inserting immediately after the figure "304.230," the figure "304.235,"; and

Further amend said bill, Page 1, In the Title, Line 10, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 18, by inserting immediately after the figure "304.230," the figure "304.235,"; and

Further amend said bill, Page 1, Section A, Line 6 from the top of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 2, Section A, Line 2, by inserting immediately after the figure "304.230," the figure "304.235,"; and

Further amend said bill, Page 34, Section 304.230, Line 14, by inserting immediately after all of said line the following:

"304.235. All commercial motor vehicles shall be required to stop at an official weigh station, except those licensed for a gross weight of not more than [twelve] eighteen thousand pounds shall not be required to stop unless so directed by a peace officer.".

Representative Legan moved that House Substitute Amendment No. 1 for House Amendment No. 19 be adopted.

Which motion was defeated.

On motion of Representative Hartzler (124), House Amendment No. 19 was adopted by the following vote:

AYES: 103

Akin Alter Ballard Barnett Barry 100

Bartelsmeyer Bauer Bennett Berkstresser Boatright

Bonner Broach Burton Champion Chrismer

Cierpiot Cooper Crawford Crump Daniels 41

Davis 122 DeMarce Dolan Donovan Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Ford Foster Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Gratz Griesheimer

Gross Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Holand Howerton

Kasten Kauffman Kelley 47 Kissell Klindt

Koller Kreider Lawson Leake Legan

Levin Liese Linton Lograsso Loudon

Marble Mays 50 McBride Merideth Miller

Monaco Naeger Ostmann Overschmidt Patek

Pouche Purgason Ransdall Reinhart Relford

Ridgeway Robirds Ross Sallee Schwab

Scott Secrest Seigfreid Sheldon 104 Shields

Skaggs Steen Summers Surface Thomason 163

Townley Troupe Vogel Wannenmacher Wiggins

Williams 159 Wilson Mr. Speaker

NOES: 041

Backer Bartlett Bland Boucher Bray 84

Campbell Carter Clayton Daniel 42 Days

Foley Franklin Graham 24 Green Hagan-Harrell

Harlan Hickey Hollingsworth Hosmer Johnson

Kelly 27 Kennedy Lakin May 108 Murphy

Murray Nordwald O'Connor O'Toole Reynolds

Rizzo Schilling Shelton 57 Smith Stokan

Stoll Stroker Thompson 72 Treadway Van Zandt

Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 018

Auer Copeland Davis 63 Dougherty Gunn

Hall Hoppe Long Luetkenhaus McClelland

McLuckie Parker Pryor Richardson Scheve

Shear Thompson 37 Wooten

VACANCIES: 001

Speaker Pro Tem Kreider resumed the Chair.

Representative Reynolds offered House Amendment No. 20.

House Amendment No. 20

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the Title, Line 7, by inserting immediately after the figure "303.030," the figure "304.010,"; and

Further amend said bill, Page 1, In the Title, Line 10, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 18, by inserting immediately after the figure "303.030," the figure "304.010,"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 2, Section A, Line 1, by inserting immediately after the figure "303.290," the figure "304.010,"; and

Further amend said bill, Page 23, Section 303.290, Line 13, by inserting immediately after all of said line the following:

"304.010. 1. As used in this section, the following terms mean:

(1) "Expressway", a divided highway of at least ten miles in length with four or more lanes which is not part of the federal interstate system of highways which has crossovers or accesses from streets, roads or other highways at the same grade level as such divided highway;

(2) "Freeway", a limited access divided highway of at least ten miles in length with four or more lanes which is not part of the federal interstate system of highways which does not have any crossovers or accesses from streets, roads or other highways at the same grade level as such divided highway within such ten miles of divided highway;

(3) "Rural interstate", that part of the federal interstate highway system that is not located in an urban area;

(4) "Urbanized area", an area of fifty thousand population at a density at or greater than one thousand persons per square mile.

2. Except as otherwise provided in this section, the uniform maximum speed limits are and no vehicle shall be operated in excess of the speed limits established pursuant to this section:

(1) Upon the rural interstates and freeways of this state, seventy miles per hour;

(2) Upon the rural expressways of this state, sixty-five miles per hour;

(3) Upon the interstate highways, freeways or expressways within the urbanized areas of this state, sixty miles per hour;

(4) All other roads and highways in this state not located in an urbanized area and not provided [by] for in subdivisions (1) to (3) of this subsection, sixty miles per hour;

(5) All other roads provided for in subdivision (4) of this subsection shall not include any state two-lane road which is identified by letter. Such lettered roads shall not exceed fifty-five miles per hour unless set at a higher speed as established by the department of highways and transportation, except that no speed limit shall be set higher than sixty miles per hour;

(6) For the purposes of enforcing the speed limit laws of this state, it is a rebuttable presumption that the posted speed limit is the legal speed limit.

3. On any state road or highway where the speed limit is not set pursuant to a local ordinance, the highways and transportation commission may set a speed limit higher or lower than the uniform maximum speed limit provided in subsection 2 of this section, if a higher or lower speed limit is recommended by the department of highways and transportation. The department of public safety, where it believes for safety reasons, or to expedite the flow of traffic a higher or lower speed limit is warranted, may request the department of highways and transportation to raise or lower such speed limit, except that no speed limit shall be set higher than seventy miles per hour.

4. Notwithstanding the provisions of section 304.120 or any other provision of law to the contrary, cities, towns and villages may regulate the speed of vehicles on state roads and highways within such cities', towns' or villages' corporate limits by ordinance with the approval of the state highways and transportation commission. Any reduction of speed in cities, towns or villages shall be designed to expedite the flow of traffic on such state roads and highways to the extent consistent with public safety. The commission may declare any ordinance void if it finds that such ordinance is:

(1) Not primarily designed to expedite traffic flow; and

(2) Primarily designed to produce revenue for the city, town or village which enacted such ordinance.

If an ordinance is declared void, the city, town or village shall have any future proposed ordinance approved by the highways and transportation commission before such ordinance may take effect.

5. The county commission of any county of the second, third or fourth classification may set the speed limit or the weight limit or both the speed limit and the weight limit on roads or bridges on any county, township or road district road in the county and, with the approval of the state highways and transportation commission, on any state road or highway not within the limits of any incorporated city, town or village, lower than the uniform maximum speed limit as provided in subsection 2 of this section where the condition of the road or the nature of the area requires a lower speed. The commission shall send copies of any order establishing a speed limit or weight limit on roads and bridges on a county, township or road district road in the county to the chief engineer of the state department of highways and transportation, the superintendent of the state highway patrol and to any township or road district maintaining roads in the county. After the roads have been properly marked by signs indicating the speed limits and weight limits set by the county commission, the speed limits and weight limits shall be of the same effect as the speed limits provided for in subsection [1] 2 of this section and shall be enforced by the state highway patrol and the county sheriff as if such speed limits and weight limits were established by state law.

6. All road signs indicating speed limits or weight limits shall be uniform in size, shape, lettering and coloring and shall conform to standards established by the department of transportation.

7. The provisions of this section shall not be construed to alter any speed limit set below fifty-five miles per hour by any ordinance of any county, city, town or village of the state adopted before March 13, 1996.

8. The speed limits established pursuant to this section shall not apply to the operation of any emergency vehicle as defined in section 304.022.

9. No truck registered for a gross weight of more than twenty-four thousand pounds shall enter a lane to the left of the innermost (right) traffic lane within 1000 feet of any motor vehicle traveling in such lane.

[9.] 10. A violation of the provisions of this section shall not be construed to relieve the parties in any civil action

on any claim or counterclaim from the burden of proving negligence or contributory negligence as the proximate cause of any accident or as the defense to a negligence action.

[10.] 11. Any person violating the provisions of this section is guilty of a class C misdemeanor, unless such person was exceeding the posted speed limit by twenty miles per hour or more then it is a class B misdemeanor.".

Representative Dolan raised a point of order that House Amendment No. 20 is dilatory.

The Chair ruled the point of order not well taken.

Representative Reynolds moved that House Amendment No. 20 be adopted.

Which motion was defeated.

Representative Hartzler (124) offered House Amendment No. 21.

House Amendment No. 21

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 1, In the Title, Line 6, by inserting immediately after the figure "302.302," the figures "302.309, 302.545,"; and

Further amend said bill, Page 1, In the Title, Line 10, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 1, Section A, Line 18, by inserting immediately after the figure "302.302," the figures "302.309, 302.545,"; and

Further amend said bill, Page 1, Section A, Line 6 from the top of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 1, Section A, Line 21, by inserting immediately after the figure "302.302," the figures "302.309, 302.545,"; and

Further amend said bill, Page 9, Section 302.302, Line 8, by inserting immediately after all of said line the following:

"Section 7. Notwithstanding any other provision of law to the contrary, any commercial motor vehicle, as defined in section 301.010, RSMo, which is subject to the federal motor carrier safety regulations as set out in section 307.400, RSMo, and having current proof of an annual periodic inspection as specified in the federal Motor Carrier Safety Regulations at 49 CFR Section 396.17 shall not be required to submit to the annual motor vehicle inspections as required in section 307.350, RSMo.".

On motion of Representative Hartzler (124), House Amendment No. 21 was adopted.

Representative Naeger offered House Amendment No. 22.

House Amendment No. 22

AMEND House Substitute for House Committee Substitute for House Bill No. 1317, Page 46, Section 307.360, Line 14, by deleting after the word "years." the following:

"Official inspection station permit holders are responsible at all times for the conduct of their business and are directly responsible at all times for any act or the conduct of any employee on the premises which is in

violation of the motor vehicle safety inspection laws or the regulations of the superintendent of the Missouri state highway patrol.".

Representative Naeger moved that House Amendment No. 22 be adopted.

Which motion was defeated.

On motion of Representative Fritts, HS HCS HB 1317, as amended, was adopted.

On motion of Representative Fritts, HS HCS HB 1317, as amended, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred SB 626, begs leave to report it has examined the same and recommends that it Do Pass by Consent with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND Senate Bill No. 626, Page 1, Section 407.307, Line 4, by deleting the number "407.757" and inserting in lieu thereof the number "407.756".

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred HB 1021, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Committee Amendment No. 1

Amend House Bill No. 1021, Page 2, Section 21.025, Line 8, by deleting said line and inserting in lieu thereof the following:

"From General Revenue Fund . . . . . $ 431,444"

and further amend House Bill 1021, Page 3, Section 21.040, Line 12 by deleting said line and inserting in lieu thereof the following:

"From Local Funds. . . . . $ 62,500"

and further amend said House Bill 1021, Page 4, by inserting after Section 21.055, line 9, the following:

"Section 21.057. To the Office of Administration

For the purpose of funding the Division of Design and Construction

Expense and Equipment

Representing expenditures originally authorized under the

provisions of House Bill Section 5.040, an Act of the

General Assembly, First Regular Session

From Office of Administration Revolving Administrative

Trust Fund. . . . . $ 75,000"

and further amend said House Bill 1021, Page 11, Section 21.170, Line 8 by inserting immediately thereafter the following:

"Section 21.171. To the Department of Economic Development

For the purpose of funding Business Development Activities

For the purpose of funding programs in response to changes in

federal fiscal policies with regard to welfare reform.

No funds appropriated herein may be expended until a

utilization plan has been received and reviewed by both

the House Budget Committee Chair and the Senate

Appropriations Committee Chair

For Community Development Corporations or job training or

retraining activities, all expenditures

Representing expenditures originally authorized under the

provisions of House Bill Section 7.038, an Act of the

89th General Assembly, First Regular Session

From General Revenue Fund. . . . . $ 2,000,000

Section 21.172. To the Department of Economic Development

For the purpose of funding the Division of Tourism to include coordination

of advertising of at least $70,000 for the Missouri State Fair

Expense and Equipment

Representing expenditures originally authorized under the provisions

of House Bill Section 7.080, an Act of the 89th General

Assembly, First Regular Session

From Division of Tourism Supplemental Revenue Fund. . . . .$ 3,975,000"

and further amend said House Bill 1021, Section 21.200, line 9, by deleting said line and inserting in lieu thereof the following:

"From General Revenue Fund. . . . . $ 2,500,000"

Committee on Correctional and State Institutions, Chairman Crump reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred SB 695, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred SB 918, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred SB 928, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Education - Elementary and Secondary, Chairman Stoll reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred SB 488, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred SB 553, begs leave to report it has examined the same and recommends that it Do Pass by Consent with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND Senate Bill No. 553, Page 1, In the title, Lines 2 to 3, by deleting all of said lines and inserting in lieu thereof the following: "To repeal sections 167.223, 178.790 and 178.890, RSMo 1994, relating to postsecondary education, and to enact in lieu thereof three new sections relating to the same subject."; and

Further amend said bill, Page 1, Section A, Lines 1 to 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 167.223, 178.790 and 178.890, RSMo 1994, are repealed and three new sections enacted in lieu thereof, to be known as sections 167.223, 178.790 and 178.890, to read as follows:"; and

Further amend said bill, Page 2, Section 167.223, Line 17, by inserting after all of said line the following:

"178.790. The boundaries of any [junior] community college district organized [under] pursuant to sections 178.770 to 178.890 shall coincide with the boundaries of the school district or of the contiguous school districts proposed to be included, and the [junior] community college district shall be in addition to any other school districts existing in any portion of the area.

178.890. 1. If the area of an entire school district which adjoins a [junior] community college district organized [under] pursuant to sections 178.770 to 178.890 desires to be attached thereto and become a part of the [junior] community college district it may do so in the manner provided for annexation [under] pursuant to section 162.441, RSMo. If the area of an entire school district which adjoins a district offering a two-year college course [under] pursuant to section 178.370 on October 13, 1961, and receiving aid [under] pursuant to section 163.191, RSMo, desires to be attached thereto for [junior] community college purposes only, the annexation shall be completed [under] pursuant to section 162.441, RSMo, and upon the annexation, a special [junior] community college district shall be established in the entire area as provided in sections 178.770 to 178.890, and notice thereof shall be given to the state board of education. The state board of education, within sixty days, shall call a special election for the election of trustees to be conducted in the manner provided in section 178.820.

2. If the entire area of a school district not adjoining or contiguous with an established and existing community college district organized pursuant to sections 178.770 to 178.890, desires to become part of such an established and existing community college district which lies in whole or in part in a county which is either:

(1) Adjacent to the county in which the school district lies in whole or in part; or

(2) Adjacent to a county which does not have a public four-year open enrollment college or university, which is adjacent to the county in which the school district lies in whole or in part, such school district may do so in the manner provided for annexation pursuant to section 162.441, RSMo, and in such instances, it shall not be required that such school district be adjacent to or adjoin such a community college district, and the subdistrict or subdistricts in the area comprising the petitioning school district need not be contiguous with the subdistricts of the receiving community college district.

3. If the board of trustees of the receiving district rejects the petition for annexation, the state board of education may be petitioned for a hearing and upon receipt of the petition the state board shall establish the time and place and proceed to a hearing. If the state board of education finds that refusal to honor the petition for annexation has been made without good cause, the state board in its discretion may withhold a portion or all of the state aid from the district which is payable [under] pursuant to the provisions of section 163.191, RSMo.".

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1375, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred HB 1783, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

COMMITTEE CHANGES

The Speaker submitted the following committee changes:

Representative Franklin has been appointed a member of the Joint Legislative Committee on Court Automation (476.055.7).

Representative Gibbons has been appointed a member of the Court Automation Committee (476.055.2).

Representative Schilling has been appointed a member of the Court Automation Committee (476.055.2).

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

State of Missouri

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

SECOND REGULAR SESSION

89TH GENERAL ASSEMBLY

STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Bill No. 1014 entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 1998.

On April 8, 1998, I approved said Conference Committee Substitute for House Bill No. 1014.

Respectfully submitted

/s/ Mel Carnahan

Governor

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 981, entitled:

An act to repeal section 287.210, RSMo 1994, relating to workers' compensation, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, April 9, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-ninth Day, Tuesday, April 7, 1998, pages 909 and 910, roll call, by showing Representatives Bennett (15) and Klindt voting "aye" rather than "absent with leave".

Pages 910 and 911, roll call, by showing Representatives Bennett (15) and Stroker voting "aye" rather than "absent with leave".

Pages 911 and 912, roll call, by showing Representative Bennett (15) voting "aye" rather than "absent with leave".

Pages 912 and 913, roll call, by showing Representative Bennett (15) voting "aye" rather than "absent with leave".

Pages 913 and 914, roll call, by showing Representatives Bartelsmeyer, Bennett (15) and Stokan voting "aye" rather than "absent with leave".

Pages 914 and 915, roll call, by showing Representatives Bennett (15) and Franklin voting "aye" rather than "absent with leave".

Pages 915 and 916, roll call, by showing Representatives Bennett (15) and Stokan voting "aye" rather than "absent with leave".

Pages 917 and 918, roll call, by showing Representatives Bennett (15), O'Connor and Williams (121) voting "aye" rather than "absent with leave".

Page 919, roll call, by showing Representative Hollingsworth voting "aye" rather than "absent with leave".

Page 919, roll call, by showing Representatives Bennett (15) and Mays (50) voting "no" rather than "absent with leave".

Pages 920 and 921, roll call, by showing Representatives Bennett (15), Gaston and Richardson voting "aye" rather than "absent with leave".

Pages 924 and 925, roll call, by showing Representative McLuckie voting "aye" rather than "no".

Pages 924 and 925, roll call, by showing Representatives Bennett (15), Chrismer, O'Connor and Secrest voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

CHILDREN, YOUTH AND FAMILIES

Thursday, April 9, 1998, 8:00 am. Hearing Room 9, CONTINUATION OF THE APRIL 8TH 7:30 PM. MEETING. Executive session to follow.

To be considered - SB 961

ENVIRONMENT AND ENERGY

Thursday, April 9, 1998, 8:30 am. Hearing Room 6. Executive session to follow.

To be considered - SB 541

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, April 9, 1998. Side gallery upon morning adjournment. Executive session.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 14, 1998, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 649, SB 683

MUNICIPAL CORPORATIONS

Thursday, April 16, 1998. Hearing Room 7 upon morning adjournment.

To be considered - Executive Session - SB 629

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Thursday, April 9, 1998. Side gallery upon adjournment. Executive session.

UTILITIES REGULATION

Thursday, April 9, 1998, 8:30 am. Hearing Room 8.

To be considered - HB 1914, Executive Session - SB 561

HOUSE CALENDAR

Fifty-first Day, Thursday, April 9, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 26 - Hosmer

HJR 35 - Parker

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HB 1021, HCA 1 - Franklin

HOUSE BILLS FOR PERFECTION

1 HCS HB 1537, as amended, HA 5, pending, - Troupe

2 HB 1876 - Leake

3 HCS HB 1510 - Campbell

4 HB 1126, HCA 1 - Thomason (163)

5 HCS HB 1265 - Kreider

6 HB 893, HCA 1 - Backer

7 HCS HB 1674 - Rizzo

8 HB 1564 - Relford

9 HCS HB 1737 & 1345 - Riback Wilson

10 HB 998 - Kissell

11 HB 976, HCA 1 & 2 - Bauer

12 HB 1381 - Fritts

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310 - Dougherty

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1822 - Kelly

HB 1836 - Dougherty

HB 1489 - Dougherty

HOUSE BILLS FOR PERFECTION - CONSENT

(April 2, 1998)

HB 1856 - Hosmer

(April 6, 1998)

HB 987 - Richardson

(April 9, 1998)

HB 1783 - Lakin

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HS HCS HB 1656, (Budget Fiscal 4-2-98) - Bray

3 HB 1258, (Budget Fiscal 4-6-98) - Bland

4 HS HCS HB 1237, 1409, 1166, 1154 & 1491, (Budget Fiscal 4-8-98) - Luetkenhaus

5 HS HCS HB 1405, 1109 & 1335 - Smith

6 HCS HB 1799 - Stroker

HOUSE BILL FOR THIRD READING - INFORMAL

HB 1610, - DeMarce - (CONSENT)

SENATE BILL FOR SECOND READING

SB 981

SENATE BILLS FOR THIRD READING - CONSENT

(April 9, 1998)

1 SB 764 - Hollingsworth

2 SB 658, E.C. - Stoll

3 HCS SB 535 - Bray

4 SCS SB 820, E.C. - Luetkenhaus

5 SCS SB 684 - Smith

6 SB 537 - May (108)

7 SB 488, E.C. - Stoll

8 HCS SCS SB 470 - Green

9 SB 918 -

10 SB 626, HCA 1 - Leake

11 SB 928 -

12 HCS SB 842 - Crump

13 HCS SB 579 - Pryor

14 SB 695 -

15 SB 553, HCA 1 - Stoll

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

COURTESY RESOLUTIONS

1 HR 692, through HR 695 - Purgason

2 HR 696 - Vogel

3 HR 697 - Bartelsmeyer

4 HR 698 - Scott

5 HR 699 - Luetkenhaus

6 HR 700 - Stoll

7 HR 701 - DeMarce

8 HR 702 - McClelland

9 HR 703 - Ballard

10 HR 704 through HR 710 - Boucher

11 HR 711 - Kelly (27)

12 HR 712 and HR 713 - Kelley (47)

13 HR 714 - Sallee

14 HR 715 through HR 717 - Naeger

15 HR 718 - Troupe

16 HR 719 through HR 730 - Reinhart

17 HR 731 - Seigfreid

18 HR 732 - Fitzwater

19 HR 733 - Wooten

20 HR 734 - Farnen

21 HR 735 - Murphy

22 HR 736 and HR 737 - Richardson

23 HR 738 - Dolan

24 HR 739 - Stoll

25 HR 740 through HR 742 - Boucher

26 HR 743 - Gratz

27 HR 744 through HR 747 - Berkstresser

28 HR 748 - Levin

29 HR 749 - Richardson

30 HR 750 - Barry

31 HR 751 - Marble

32 HR 752 - Fritts

33 HR 753 - Hartzler (124)

34 HR 754 - Parker

35 HR 755 - Luekenhaus

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House Journal

Second Regular Session, 89th General Assembly

FIFTY-FIRST DAY, Thursday, April 9, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

We come to the close of this week, O Lord, hoping that what we have done has been good and beneficial. We hope that the lives we have touched will be strengthened and enhanced - whether it's through the protection of a spouse or children from abuse or the process of developing boundaries for schools. The work here in this chamber is serious business precisely because it DOES affect lives. From the simplest acts of legislation to the most serious debates of life and death, lives across this state will be affected by what happens within these walls.

Much is asked of those who have been chosen to represent the people of this state. May each person here take seriously his or her responsibility and may each one consider the scope of their authority as they respond to the issues presented them. Let them be open to new visions and insights, to new perspectives and understandings.

In all things, Gracious God, walk with them through each day, lifting them up when they are weary and undergirding their efforts when done in the spirit of Your love for all humanity. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Julianne Helen Martin, Christine Michelle Garrett, Jacob Malvitz, Nathan Getman, Erin Smith, Teresa Alvarez, Brandon Lomba, Lisa Fisher, Carmen Robinson, Greg O'Neil, Allen Hamilton, Jacob Wagner, Cari Ann Bergner, Anthony Payne, Madelynn Gross, Scott Grim, Jr. and Nancy Faye Grim.

The Journal of the fiftieth day was approved as corrected.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 156

Akin Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 002

Alter Lograsso

ABSENT WITH LEAVE: 004

Copeland Hosmer Shear Smith

VACANCIES: 001

RESOLUTIONS

Representative Ransdall offered House Resolution No. 810, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Barnett offered House Resolution No. 811, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Schwab offered House Resolution No. 812, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Elliott offered House Resolution No. 813, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 814, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution No. 815 through House Resolution No. 828, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Enz and Hendrickson offered House Resolution No. 829 through House Resolution No. 842, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Enz, Murphy and Hendrickson offered House Resolution No. 843 through House Resolution No. 870, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shear offered House Resolution No. 871, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Donovan offered House Resolution No. 872, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stroker offered House Resolution No. 873 and House Resolution No. 874, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gibbons and Akin offered House Resolution No. 875, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Gibbons, et al, offered House Concurrent Resolution No. 25.

COURTESY RESOLUTIONS

Representatives Fritts, Elliott and Auer offered House Resolution No. 752.

House Resolution No. 752

WHEREAS, it is a solemn occasion for the Missouri House of Representatives to honor the memory of a citizen who had distinguished himself through a lifetime of dedicated service to his community, state, and nation: the Honorable Ralph Victor Hedrick, former longtime member of this legislative body; and

WHEREAS, born in Sedalia on May 9, 1925, Ralph Hedrick attended schools in Sedalia and Appleton City and went on to distinguish himself in the United States Navy through active duty in the Pacific during World War II,

for which heroic endeavor he earned such illustrious decorations as the Pacific Area Campaign Medal (4 stars), the Philippine Liberation Medal (2 stars), the World War II Victory Medal, and the American Area Campaign Medal; and

WHEREAS, Mr. Hedrick moved to the Rich Hill area in 1959 and worked as a District Manager at Taystee Bread Company; and

WHEREAS, Mr. Hedrick began his long and illustrious political career as Southern Judge of the Bates County Court, after which he entered into state government with his initial election to the House of Representatives in 1970; and

WHEREAS, Mr. Hedrick served faithfully and well for eighteen years as a Democratic State Representative of Districts 111, 116, and 123, the boundaries of which included Bates, Vernon, Cass, and St. Clair counties; and

WHEREAS, Mr. Hedrick truly enjoyed working with people and always did his very best to represent the interests of his constituents through service at the statehouse in Jefferson City; and

WHEREAS, Mr. Hedrick had enjoyed his family immensely, taught his boys how to hunt and fish, served as a Scout leader and athletic coach, and belonged to the Veterans of Foreign Wars, the American Legion, the Elks Lodge, and the Rich Hill Christian Church:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, pause in a moment of silence to pay final tribute to our dear friend and loyal colleague, Ralph Hedrick, and to express sympathy to his sons and daughters-in-law, Douglas and Madeleine of Neosho, David and Lynne of El Dorado Springs, and Stephen and Carol of Butler, and his grandchildren, Lance, Brad, Kyle, Duane, Colten, Jonelle, and Kayla, all of whom must carry on without the one who had meant so very much to them; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the loved ones of the late Ralph Hedrick.

On motion of Representative Fritts, House Resolution No. 752 was adopted by the following vote:

AYES: 158

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Copeland Patek Shear Smith

VACANCIES: 001

House Resolution No. 692 through House Resolution No. 751 and House Resolution No. 753 through House Resolution No. 755 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution No. 692 through House Resolution No. 751 and House Resolution No. 753 through House Resolution No. 755 were adopted.

SECOND READING OF SENATE BILL

SB 981 was read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HBs 1405, 1109 & 1335 - Budget (Fiscal Note)

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1237, 1409, 1166, 1154 & 1491, HS HCS HBs 1405, 1109 & 1335** and **HCS HB 1799**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1856**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS

HCS HB 1799, relating to domestic violence assaults, was taken up by Representative Stroker.

On motion of Representative Stroker, **HCS HB 1799** was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Marble Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Barry 100 Dolan Harlan Luetkenhaus May 108

Patek Shear Smith

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Gratz moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HCS HB 1537, as amended, with House Amendment No. 5, pending, relating to welfare to work protection act, was again taken up by Representative Troupe.

Representative Gibbons offered House Substitute Amendment No. 1 for House Amendment No. 5.

House Substitute Amendment No. 1

for

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1537, Page 3, Section 4, Line 14, by adding after said line all of the following:

Section 5. Direct placement programs shall sanction the public assistance recipient who has been convicted (under federal or state law) of any offense which is classified as a felony by the law of the jurisdiction involved and which has as an element the distribution of a controlled substance (as defined in section 802(6) of title 21, *United States Code)* provided that the individual was at least 17 years of age at the time of the commission of the offense for which he or she was convicted.

(1) The amount of assistance otherwise required to be provided under the Temporary Assistance/Work First Program to the family members of an individual to whom section 5 applies shall be reduced by the amount

which would have otherwise been made available to the individual who has been convicted of such an offense.

(2) This prohibition shall not apply to convictions arising out of offenses occurring prior to July 1, 1998.

(3) Each individual applying for the benefits under the Temporary Assistance/Work First Program shall be required in the application process to state, in writing, whether the individual, or any member of the household of the individual, had been convicted of a crime described here.

(4) Any family with an adult member sanctioned pursuant to this section shall be assessed by the Division of Family Services to evaluate the suitability of the environment for any minor children residing in the home. If the Division determines the environment is unsuitable for the minor children, an immediate foster care placement shall be made by the Division, pursuant to Chapter 210 RSMo.

On motion of Representative Gibbons, House Substitute Amendment No. 1 for House Amendment No. 5 was adopted.

Representative Dougherty offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1537, Page 1, Section 1, Line 1, by deleting the number "**4**" and inserting in lieu thereof the number "**5**", and

Further amend said bill, Page 1, Section 1, Line 3, by deleting the number "**4**" and inserting in lieu thereof the number "**5**"; and

Further amend said bill, Page 3, Section 4, Line 14, by inserting after all of said line the following:

"**Section 5. Beginning at the point of application for welfare benefits, the applicant shall complete a comprehensive assessment provided by the department.**"

Representative Monaco offered House Substitute Amendment No. 1 for House Amendment No. 6.

House Substitute Amendment No. 1

for

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1537, Page 1, Section 1, Line 1, by deleting the number "**4**" and inserting in lieu thereof the number "**5**"; and

Further amend said bill, Page 1, Section 1, Line 3, by deleting the number "**4**" and inserting in lieu thereof the number "**5**"; and

Further amend said bill, Page 3, Section 4, Line 14, by inserting after all of said line the following:

"**Section 5. At the time of application for Temporary Assistance for Needy Families (TANF) benefits, each applicant shall complete a work readiness assessment. The department shall utilize such assessment to refer applicants to an appropriate work activity.**".

On motion of Representative Monaco, House Substitute Amendment No. 1 for House Amendment No. 6 was adopted by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Shear Shelton 57 Shields Skaggs
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 001

Patek

PRESENT: 000

ABSENT WITH LEAVE: 005

Copeland Harlan Legan Sheldon 104 Smith

VACANCIES: 001

Representative Bennett offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1537, Page 3, Section 4, Line 14, by inserting after said line the following new section:

"**Section 5. If a felony arrest warrant has been issued against an applicant for public assistance and such warrant is outstanding, the department of social services shall deny public assistance to the applicant until the warrant has been satisfied. Any applicant who makes a false or misleading statement concerning such warrant is guilty of perjury pursuant to section 578.385, RSMo. If a felony arrest warrant has been issued against a recipient of public assistance and such warrant is outstanding, the department shall not disburse any public assistance to the recipient and such moneys shall revert back to the appropriate public assistance fund. The highway patrol shall provide, on a monthly basis, a list of the names of persons with outstanding arrest warrants on the Missouri uniform law enforcement system (MULES). The department shall review the outstanding arrest warrant list available on the Missouri uniform law enforcement system before disbursing public assistance to a recipient. If a disbursement is made to a recipient and such recipient's name appears on the Missouri uniform law enforcement system list at the time of such disbursement, the department shall reimburse the general revenue fund of the state out of the appropriations for the department for the amount of such disbursement.**"

Representative Scheve assumed the Chair.

Representative Parker offered House Amendment No. 1 to House Amendment No. 7.

House Amendment No. 1

to

House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for House Bill No. 1537, by deleting the following:

"Any applicant who makes a false or misleading statement concerning such warrant is guilty of perjury pursuant to section 578.385 RSMo."

On motion of Representative Parker, House Amendment No. 1 to House Amendment No. 7 was adopted.

Representative Bennett offered House Amendment No. 2 to House Amendment No. 7.

House Amendment No. 2

to

House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for House Bill No. 1537, Page 1, Section 5, Line 10, by adding after the word "recipient" the following:

"until the warrant has been satisfied;".

On motion of Representative Bennett, House Amendment No. 2 to House Amendment No. 7 was adopted.

On motion of Representative Bennett, House Amendment No. 7 , as amended, was adopted by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Scott Secrest Seigfreid
Shear Sheldon 104 Shelton 57 Shields Skaggs
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Thompson 37

ABSENT WITH LEAVE: 006

Franklin Hoppe Kelly 27 Lograsso Schwab

Smith

VACANCIES: 001

Representative Purgason offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 1537, Page 2, Section 3.1, Line 1, by inserting after "**new**" on said line the words "**or existing**".

On motion of Representative Purgason, House Amendment No. 8 was adopted.

Representative Boatright offered House Amendment No. 9.

Representative Troupe raised a point of order that House Amendment No. 9 goes beyond the scope of the bill.

Representative Scheve requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Troupe, **HCS HB 1537, as amended,** was adopted.

On motion of Representative Troupe, **HCS HB 1537, as amended,** was ordered perfected and printed.

HB 1876, relating to commodity merchandising programs, was taken up by Representative Leake.

Representative Leake offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1876, Page 1, Section 275.350, Line 10, by deleting all of said line and inserting in lieu thereof the following: "the costs of the action. The attorney general[, at the request of the director, and] **or**, if requested by"; and

Further amend said bill, Page 1, Section 275.350, Line 11, by deleting the closing bracket "]"; and

Further amend said bill, Page 1, Section 275.350, Line 15, by deleting "[All" and inserting in lieu thereof the following: "All **administrative**"; and

Further amend said bill, Page 2, Section 275.350, Line 19, by inserting immediately after the word "purposes" an opening bracket "["; and

Further amend said bill, Page 2, Section 275.350, Line 20, by inserting immediately after the word "council" a closing bracket "]"; and

Further amend said bill, Page 2, Section 275.350, Line 25, by inserting immediately after the number "4." an opening bracket "["; and

Further amend said bill, Page 2, Section 275.350, Line 29, by inserting after all of said line the following: "**5. The**

director may enter into contracts with appropriate commodity councils, at the request of the commodity councils, to collect, audit and administer checkoff funds and may retain only such fees for the cost of such services, to be deposited into the commodity council merchandising fund.".

On motion of Representative Leake, House Amendment No. 1 was adopted.

On motion of Representative Leake, **HB 1876, as amended,** was ordered perfected and printed.

HCS HB 1510, relating to unclaimed property, was taken up by Representative Campbell.

Representative McClelland offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1510, Page 2, Section 447.503, Line 37, by inserting after the period "." after the word "treasurer" the following: "**Notwithstanding the provisions of this section, the holder may treat letters sent in the ordinary course of business, first class and "Address Correction Requested" as satisfying the definition of "reasonable and necessary diligence as is consistent with good business practice".**"; and

Further amend said bill, Page 5, Section 447.505, Line 68, by deleting the period "." at the end of said line and inserting in lieu thereof the following: "[.]**;**

(5) Gift certificates, credit memos and credit balances that are redeemable in merchandise only shall be reportable at a rate equal to sixty percent of their respective face value. The state treasurer shall reimburse the owner the full face value."; and

Further amend said bill, Page 9, Section 447.536, Line 6, by adding after the period "**.**" at the end of said line the following: "**The abandonment periods provision of this section shall not apply to property which is held pursuant to any resolution, order or trust indenture entered into prior to August 28, 1998, by a city, county, school district, authority, agency or other political subdivision where the abandonment period or other abandonment provision specified in the resolution, order or trust indenture is different than the abandonment period specified in this section.**"; and

Further amend said bill, Page 11, Section 447.540, Line 1, by inserting after the number "447.540." the following: "**The holder may contest the estimation techniques used by the treasurer in an appeal de novo to a circuit court of competent jurisdiction based on the reasonable application of the techniques to the contested issues.**".

Representative McClelland offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1510, Page 2, Lines 13 - 14, by deleting said lines and inserting in lieu thereof the following:

"Further amend said bill, page 11, section 447.539, line 73, by inserting after the period on said line the following: "**The**".

On motion of Representative McClelland, House Amendment No. 1 to House Amendment No. 1 was adopted.

On motion of Representative McClelland, House Amendment No. 1, as amended, was adopted.

On motion of Representative Campbell, **HCS HB 1510, as amended,** was adopted.

On motion of Representative Campbell, **HCS HB 1510, as amended,** was ordered perfected and printed.

HB 1126, with House Committee Amendment No. 1, relating to digital signatures, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), House Committee Amendment No. 1 was adopted.

Representative Thomason (163) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1126, Page 1, Section 2, Line 1, by inserting after the word "**construed**" the words "**to be**"; and

Further amend said bill, Page 2, Section 3, Line 34, by deleting the word "**commission's**" and inserting in lieu thereof the word "**commissions**"; and

Further amend said bill, Page 14, Section 13, Line 7, by deleting the word "**and**" and inserting in lieu thereof the following: "**the certification authority**"; and

Further amend said bill, Page 17, Section 18, Line 23, by deleting the word and figure "**subsection 3**" and inserting in lieu thereof the word and figure "**subsection 2**".

On motion of Representative Thomason (163), House Amendment No. 1 was adopted.

Representative May (108) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 1126, Page 21, Section 27, Line 6, by inserting after all of said line the following:

"**Section 28. 1. Any statement, document or notice, except any document or judicial decree relating to the secretary of state's statutory or constitutional duties regarding elections, required or permitted to be filed with or transmitted by the secretary of state, or any judicial decree requiring the filing of such document, may be filed, transmitted, stored and maintained in an electronic format prescribed by the secretary of state. No statement, document or notice submitted or filed in an electronic format need be submitted or filed in duplicate. Nothing in this section shall require the secretary of state to accept or transmit any statement, document or notice in an electronic format.**

2. Any statutory requirement that a statement, document or notice be signed by any person shall be satisfied by an electronically transmitted signature that is:

(1) Unique to the person using it;

(2) Capable of verification;

(3) Under the sole control of the person using it;

(4) Linked to the document in such a manner that if the data is changed, the signature is invalidated; and

(5) Intended by the party using it to have the same force and effect as the use of a manual signature.

3. Any requirement that a statement, document or notice filed with the secretary of state be notarized may be satisfied by a properly authenticated digital signature. The execution of any statement, document or notice with a digital signature pursuant to this subsection constitutes an affirmation under penalty of perjury that the facts stated therein are true and that such person or persons are duly authorized to execute such statement, document or notice, or are otherwise required to file such statement, document or notice.

Section 29. The secretary of state may accept credit or debit cards and establish a new revenue collection

center for prepaid accounts for the payment of required taxes and fees. The secretary of state shall work with the state treasurer and the office of administration in connection with such payments. No person establishing a prepayment account pursuant to this section shall be entitled to payment of any interest on such account. Funds in prepayment accounts shall be refundable upon the order of the person or persons authorized to transfer money from such an account.".

On motion of Representative May (108), House Amendment No. 2 was adopted.

On motion of Representative Thomason (163), **HB 1126, as amended,** was ordered perfected and printed.

HCS HB 1265, relating to school building revolving fund, was taken up by Representative Kreider.

Representative Froelker offered House Amendment No. 1.

House Amendment No. 1

*AMEND House Committee Substitute for House Bill No. 1265, Page 2, Section 166.300, Line 10, by inserting immediately before the word "**and**" the following: "**all gifts and bequests to such fund,**".*

On motion of Representative Froelker, House Amendment No. 1 was adopted.

Representative Hosmer offered House Amendment No. 2.

House Amendment No. 2

*AMEND House Committee Substitute for House Bill No. 1265, Page 2, Section 166.131, Line 19, by inserting after the word "state" the following: "**distributed for education**".*

On motion of Representative Hosmer, House Amendment No. 2 was adopted.

*On motion of Representative Kreider, **HCS HB 1265, as amended,** was adopted.*

*On motion of Representative Kreider, **HCS HB 1265, as amended,** was ordered perfected and printed.*

***HB 893, with House Committee Amendment No. 1**, relating to electronic filing with the Ethics Commission, was taken up by Representative Backer.*

On motion of Representative Backer, House Committee Amendment No. 1 was adopted.

*On motion of Representative Backer, **HB 893, as amended,** was ordered perfected and printed.*

***HB 1564**, relating to water pollution control bonds, was taken up by Representative Relford.*

*On motion of Representative Relford, **HB 1564** was ordered perfected and printed.*

***HCS HBs 1737 & 1345**, relating to employee information, was taken up by Representative Riback Wilson.*

Representative Pouche offered House Amendment No. 1.

House Amendment No. 1

*AMEND House Committee Substitute for House Bills Nos. 1737 & 1345, Page 1, Section 290.140, Line 9, by inserting after the word "**services**" the following: "**, other than services of an agricultural or seasonal nature,**".*

Representative Elliott offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 1737 & 1345, Page 1, Section 290.140, Line 1, by removing the opening bracket ("[") on said line; and

Further amend said section, line 7, by striking the comma, closing bracket and all new language on lines 7 - 10.

On motion of Representative Elliott, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted by the following vote:

AYES: 079

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Clayton Cooper Crawford

DeMarce Dolan Elliott Enz Evans

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Gratz Griesheimer Gross Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hohulin

Howerton Kasten Klindt Koller Kreider

Lawson Leake Legan Levin Linton

Lograsso Loudon Luetkenhaus Marble Merideth

Miller Naeger Nordwald Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Richardson Ridgeway Robirds

Ross Sallee Scott Secrest Seigfreid

Shields Steen Summers Thomason 163 Vogel

Wannenmacher Wiggins Williams 121 Williams 159

NOES: 068

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Cierpiot Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days Donovan Dougherty

Farnen Fitzwater Foley Ford Franklin

Fritts Graham 24 Green Hagan-Harrell Harlan

Hickey Hilgemann Hollingsworth Hoppe Hosmer

Johnson Kauffman Kelly 27 Kennedy Kissell

Lakin Liese May 108 Mays 50 McBride

McClelland McLuckie Monaco Murray O'Connor

O'Toole Relford Reynolds Rizzo Scheve

Schilling Shear Sheldon 104 Shelton 57 Skaggs

Stokan Stoll Stroker Thompson 72 Treadway

Troupe Van Zandt Wilson

PRESENT: 000

ABSENT WITH LEAVE: 015

Bonner Edwards-Pavia Gunn Hall Holand

Kelley 47 Long Murphy Schwab Smith

Surface Thompson 37 Townley Wooten Mr. Speaker

VACANCIES: 001

***HCS HB 1737, as amended**, was placed on the Informal Calendar.*

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred SB 720, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred SB 961, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred SB 766, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Governmental Organization and Review, Chairman Murray reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred HJR 53, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred HB 1138, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred SB 479, begs leave to report it has examined the same and recommends that it Do Pass by Consent with House Committee Substitute.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred SB 550, begs leave to report it has examined the same and recommends that it Do Pass by Consent with House Committee Substitute.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred SB 580, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred SB 597, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred SB 652, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred SB 832, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred SB 917, begs leave to report it has examined the same and recommends that it Do Pass by Consent with House Committee Substitute.

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred HR 325, begs leave to report it has examined the same and recommends that it Do Pass.

House Resolution No. 325

WHEREAS, the members of the Missouri House of Representatives deem it both proper and necessary to maintain a cooperative relationship between our state's governmental bodies and the legal system; and

WHEREAS, the General Assembly has a long tradition of granting the use of its House and Senate Chambers for the purpose of official functions:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, hereby grant the Western District Federal Court of Missouri permission to use the House Chamber for the purpose of swearing in newly-licensed members of the Missouri Bar on Friday, April 24, 1998, from 10:00 a.m. until 11:30 a.m, and on Friday, October 9, 1998, from 10:00 a.m. until 11:30 a.m.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred SB 642, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred SB 732, begs leave to report it has examined the same and recommends that it Do Pass by Consent with House Committee Substitute.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred SB 854, begs leave to report it has examined the same and recommends that it Do Pass by Consent with House Committee Substitute.

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred HB 1782, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred SB 733, begs leave to report it has examined the same and recommends that it Do Pass by Consent with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND Senate Bill No. 733, Page 3, Section 169.050, Line 66, by deleting all of said line and inserting in lieu thereof the following: "a period [of] not longer than five years or the length of service to be reinstated whichever is longer,"; and

Further amend said bill, Page 6, Section 169.056, Line 70, by deleting the word "and" and inserting in lieu thereof the words "[and] or".

Mr. Speaker: Your Committee on Retirement, to which was referred SB 761, begs leave to report it has examined the same and recommends that it Do Pass by Consent with House Committee Substitute.

Mr. Speaker: Your Committee on Retirement, to which was referred SB 841, begs leave to report it has examined the same and recommends that it Do Pass by Consent with House Committee Substitute.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 646 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1930 - Criminal Law

HB 1931 - Ways and Means

HB 1932 - Education - Elementary and Secondary

HB 1933 - Criminal Law

HB 1934 - Governmental Organization and Review

HB 1935 - Education - Elementary and Secondary

HB 1936 - Motor Vehicle and Traffic Regulations

HB 1937 - Education - Elementary and Secondary

HB 1938 - Criminal Law

HB 1939 - Correctional and State Institutions

HB 1940 - Elections

HB 1941 - Labor

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 498 - Motor Vehicle and Traffic Regulations

SB 526 - Tourism, Recreation and Cultural Affairs

SCS SB 536 - Miscellaneous Bills and Resolutions

SB 538 - Labor

SCS SB 584 - Workers Compensation and Employment Security

SB 589 - Judiciary

SCS SB 604 - Transportation

SCS SB 659 - Labor

SB 680 - Judiciary

SB 701 - Social Services, Medicaid and the Elderly

SB 780 - Education - Elementary and Secondary

SS SCS SB 781 - Education - Elementary and Secondary

SB 800 - Local Government and Related Matters

SB 848 - State Parks, Natural Resources and Mining

SCS SB 921 - Correctional and State Institutions

SB 981 - Workers Compensation and Employment Security

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Monday, April 13, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fiftieth Day, Wednesday, April 8, 1998, pages 935 and 936, roll call, by showing Representative Davis (63) voting "no" rather than "absent with leave".

Pages 936 and 937, roll call, by showing Representatives Bartelsmeyer and Davis (63) voting "aye" rather than "absent with leave".

Page 950, roll call, by showing Representatives Dolan, Kasten, Kreider and Luetkenhaus voting "aye" rather than "absent with leave".

Page 951, roll call, by showing Representative Dolan voting "no" rather than "absent with leave".

Page 952, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Pages 956 and 957, roll call, by showing Representative Richardson voting "aye" rather than "absent with leave".

Pages 963 and 964, roll call, by showing Representatives Hegeman, Long and Richardson voting "aye" rather

than "absent with leave".

Pages 972 and 973, roll call, by showing Representatives Hoppe, Long, Luetkenhaus, McClelland, Parker and Richardson voting "aye" rather than "absent with leave".

Pages 972 and 973, roll call, by showing Representative Davis (63) voting "no" rather than "absent with leave".

Pages 972 and 973, roll call, by showing Representative Hollingsworth voting "aye" rather than "no".

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, April 14, 1998. Hearing Room 7 upon adjournment.

Executive session on previously heard bills.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 15, 1998, 1:00 pm. Hearing Room 6. Executive session.

To be considered - SB 719

BUDGET

Wednesday, April 15, 1998, 8:30 am. Hearing Room 9.

Possible executive session on previously heard bills.

To be considered - HB 1258, HB 1237

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 15, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session.

COMMERCE

Tuesday, April 14, 1998, 1:00 pm. Hearing Room 5. Executive session may follow. AMENDED

To be considered - SB 828, SB 787, SB 927, SB 829, SB 827

CRITICAL ISSUES

Tuesday, April 14, 1998, 8:00 pm. Hearing Room 1 and 2.

To be considered - SB 583

CRITICAL ISSUES

Tuesday, April 14, 1998. Side gallery upon evening adjournment.

To be considered - Executive Session - SB 588, Executive Session - SB 870

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 14, 1998, 7:00 pm. Hearing Room 8.

To be considered - Executive Session - SB 947, Executive Session - SB 753, SB 781

EDUCATION - HIGHER

Tuesday, April 14, 1998, 1:45 pm. Side gallery.

To be considered - Executive Session - SB 884

ENVIRONMENT AND ENERGY

Tuesday, April 14, 1998. Side gallery upon evening adjournment.

To be considered - Executive Session - SB 739, Executive Session - SB 551

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, April 15, 1998, 9:00 am. Hearing Room 8.

To be considered - HB 1934

JUDICIARY

Wednesday, April 15, 1998, 8:00 am. Hearing Room 5.

To be considered - SB 614, SB 790, Executive Session - SB 657

LABOR

Tuesday, April 14, 1998, 8:00 pm. Hearing Room 6.

To be considered - SB 659

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 14, 1998, 1:00 pm. Hearing Room 6. Executive session will follow.

To be considered - SB 898, SB 743, SB 517, SB 653, SB 800

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 14, 1998, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 649, SB 683

MUNICIPAL CORPORATIONS

Wednesday, April 15, 1998. Hearing Room 7 upon morning adjournment.

To be considered - Executive Session - SB 629

MUNICIPAL CORPORATIONS

Thursday, April 16, 1998. Hearing Room 7 upon morning adjournment.

To be considered - Executive Session - SB 629

PROFESSIONAL REGISTRATION & LICENSING

Tuesday, April 14, 1998, 1:30 pm. Room 401.

To be considered - Executive Session - SB 894, Executive Session - SB 940

PUBLIC HEALTH AND SAFETY

Wednesday, April 15, 1998. Hearing Room 9 upon morning adjournment.

Executive session may follow.

To be considered - SB 689

TOURISM, RECREATION AND CULTURAL AFFAIRS

Tuesday, April 14, 1998, 1:30 pm. Hearing Room 8. Executive session may follow.

To be considered - SB 526

WAYS AND MEANS

Tuesday, April 14, 1998. Side gallery upon evening adjournment. Executive session.

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Tuesday, April 14, 1998, 1:00 pm. Side gallery. Executive session. AMENDED

To be considered - SB 922, SB 839, SB 981

HOUSE CALENDAR

Fifty-second Day, Monday, April 13, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 26 - Hosmer

HJR 35 - Parker

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HB 1021, HCA 1 - Franklin

HOUSE BILLS FOR PERFECTION

1 HCS HB 1674 - Rizzo

2 HB 998 - Kissell

3 HB 976, HCA 1 & 2 - Bauer

4 HB 1381 - Fritts

5 HB 1302 - Bland

6 HCS HB 1684 -

7 HCS HB 1051 & 1276 - May (108)

8 HCS HB 964 - Barry

9 HCS HB 1536 - Lakin

10 HCS HB 1749 - Stokan

11 HCS HB 1643 -

12 HCS HB 1736 - Riback Wilson

13 HCS HB 1626 - Thomason (163)

14 HCS HB 1891 - Crump

15 HB 1782 - Kennedy

16 HCS HB 1488 - Williams (121)

17 HCS HB 1124 - Shear

18 HB 1796, HCA 1 - Harlan

19 HB 1380 - Kreider

20 HB 962 - Backer

21 HB 1202 - DeMarce

22 HCS HB 1138 - Leake

23 HCS HB 907 - Hosmer

24 HCS HB 1375 - May (108)

25 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310 - Dougherty

HCS HB 1737 & 1345, as amended, - Riback Wilson

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1822 - Kelly

HB 1836 - Dougherty

HB 1489 - Dougherty

HOUSE BILLS FOR PERFECTION - CONSENT

(April 6, 1998)

HB 987 - Richardson

(April 9, 1998)

HB 1783 - Lakin

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HS HCS HB 1656, (Budget Fiscal 4-2-98) - Bray

3 HB 1258, (Budget Fiscal 4-6-98) - Bland

4 HS HCS HB 1237, 1409, 1166, 1154 & 1491, (Budget Fiscal 4-8-98) - Luetkenhaus

5 HS HCS HB 1405, 1109 & 1335, (Budget Fiscal 4-9-98) - Smith

6 HS HCS HB 1317 - Fritts

HOUSE BILL FOR THIRD READING - INFORMAL

HB 1610, - DeMarce - (CONSENT)

HOUSE BILL FOR THIRD READING - CONSENT

HB 1856 - Hosmer

SENATE BILLS FOR THIRD READING - CONSENT

(April 9, 1998)

1 SB 764 - Hollingsworth

2 SB 658, E.C. - Stoll

3 HCS SB 535 - Bray

4 SCS SB 820, E.C. - Luetkenhaus

5 SCS SB 684 - Smith

6 SB 537 - May (108)

7 SB 488, E.C. - Stoll

8 HCS SCS SB 470 - Green

9 SB 918 - Schilling

10 SB 626, HCA 1 - Leake

11 SB 928 - Chrismer

12 HCS SB 842 - Crump

13 HCS SB 579 - Pryor

14 SB 695 - Kasten

15 SB 553, HCA 1 - Stoll

(April 13 1998)

16 SB 597 - Lawson

17 HCS SB 841 - Hagan-Harrell

18 HCS SCS SB 732 - O'Connor

19 SB 580 - Hoppe

20 SB 832 - Hoppe

21 HCS SB 761 - Skaggs

22 HCS SB 917 - Hoppe

23 HCS SB 479 - Hoppe

24 HCS SB 550 - Hoppe

25 SB 733, HCA 1 - Stoll

26 SB 642 - Murray

27 SCS SB 652 - Robirds

28 SB 766, E.C. - Hosmer

29 SB 720 - Thompson (72)

30 SB 961 - Dougherty

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

FIFTY-SECOND DAY, Monday, April 13, 1998

The House met pursuant to adjournment.

Speaker Gaw in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance was recited.

RESOLUTIONS

Representative Vogel offered House Resolution No. 876, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Surface and Burton offered House Resolution No. 877, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Riback Wilson, Harlan, Farnen, Graham (24) and Backer offered House Resolution No. 878, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 987**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 893, HB 1126, HCS HB 1265, HS HCS HB 1317, HCS HB 1510, HCS HB 1537, HB 1564** and **HB 1876**, begs leave to

report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1855**, begs leave to report it has examined the same and recommends that it **Do Pass.**

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1564 - Budget (Fiscal Note)

HB 1126 - Budget (Fiscal Note)

ADJOURNMENT

On motion of Speaker Gaw, the House adjourned until 2:00 p.m., Tuesday, April 14, 1998.

CORRECTION

Correct House Journal, Fifty-first Day, Thursday, April 9, 1998, Page 1002, lines 11 through 13, by deleting all of said lines.

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, April 14, 1998. Hearing Room 7 upon adjournment. Executive session on previously heard bills.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 15, 1998, 1:00 pm. Hearing Room 6. Executive session.

To be considered - SB 719

BUDGET

Wednesday, April 15, 1998, 8:30 am. Hearing Room 9. Possible executive session on previously heard bills.

To be considered - HB 1258, HB 1237

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 15, 1998. Hearing Room 1 and 2 upon morning adjournment. Executive session.

COMMERCE

Tuesday, April 14, 1998, 1:00 pm. Hearing Room 5. Executive session may follow. AMENDED

To be considered - SB 828, SB 787, SB 927, SB 829, SB 827

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, April 14, 1998, 8:00 pm. Hearing Room 9. Executive session.

To be considered - HB 1939, SB 921, SB 496

CRITICAL ISSUES

Tuesday, April 14, 1998, 8:00 pm. Hearing Room 1 and 2.

To be considered - SB 583

CRITICAL ISSUES

Tuesday, April 14, 1998. Side gallery upon evening adjournment.

To be considered - Executive Session - SB 588, Executive Session - SB 870

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 14, 1998, 7:00 pm. Hearing Room 8.

To be considered - Executive Session - SB 947, Executive Session - SB 753, SB 781

EDUCATION - HIGHER

Tuesday, April 14, 1998, 1:45 pm. Side gallery.

To be considered - Executive Session - SB 884

ENVIRONMENT AND ENERGY

Tuesday, April 14, 1998. Side gallery upon evening adjournment.

To be considered - Executive Session - SB 739, Executive Session - SB 551

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, April 15, 1998, 9:00 am. Hearing Room 8.

To be considered - HB 1934

JUDICIARY

Wednesday, April 15, 1998, 8:00 am. Hearing Room 5.

To be considered - SB 614, SB 790, Executive Session - SB 657

LABOR

Tuesday, April 14, 1998, 8:00 pm. Hearing Room 6.

To be considered - SB 659

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 14, 1998, 1:00 pm. Hearing Room 6. Executive session will follow.

To be considered - SB 898, SB 743, SB 517, SB 653, SB 800

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 14, 1998, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 649, SB 683

MUNICIPAL CORPORATIONS

Wednesday, April 15, 1998. Hearing Room 7 upon morning adjournment.

To be considered - Executive Session - SB 629

MUNICIPAL CORPORATIONS

Thursday, April 16, 1998. Hearing Room 7 upon morning adjournment.

To be considered - Executive Session - SB 629

PROFESSIONAL REGISTRATION & LICENSING

Tuesday, April 14, 1998, 1:30 pm. Room 401.

To be considered - Executive Session - SB 894, Executive Session - SB 940

PUBLIC HEALTH AND SAFETY

Wednesday, April 15, 1998. Hearing Room 9 upon morning adjournment.

Executive session may follow.

To be considered - SB 689

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 14, 1998. Hearing Room 5 upon adjournment.

To be considered - SB 701, Executive Session - SB 941, Executive Session - SB 793,

Executive Session - SB 963, Executive Session - SB 701, Executive Session - HB 1337

TOURISM, RECREATION AND CULTURAL AFFAIRS

Tuesday, April 14, 1998, 1:30 pm. Hearing Room 8. Executive session may follow.

To be considered - SB 526

WAYS AND MEANS

Tuesday, April 14, 1998. Side gallery upon evening adjournment. Executive session.

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Tuesday, April 14, 1998, 1:00 pm. Side gallery. Executive session. AMENDED

To be considered - SB 922, SB 839, SB 981

HOUSE CALENDAR

Fifty-third Day, Tuesday, April 14, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 26 - Hosmer

HJR 35 - Parker

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HB 1021, HCA 1 - Franklin

HOUSE BILLS FOR PERFECTION

1 HCS HB 1674 - Rizzo

2 HB 998 - Kissell

3 HB 976, HCA 1 & 2 - Bauer

4 HB 1381 - Fritts

5 HB 1302 - Bland

6 HCS HB 1684 -

7 HCS HB 1051 & 1276 - May (108)

8 HCS HB 964 - Barry

9 HCS HB 1536 - Lakin

10 HCS HB 1749 - Stokan

11 HCS HB 1643 -

12 HCS HB 1736 - Riback Wilson

13 HCS HB 1626 - Thomason (163)

14 HCS HB 1891 - Crump

15 HB 1782 - Kennedy

16 HCS HB 1488 - Williams (121)

17 HCS HB 1124 - Shear

18 HB 1796, HCA 1 - Harlan

19 HB 1380 - Kreider

20 HB 962 - Backer

21 HB 1202 - DeMarce

22 HCS HB 1138 - Leake

23 HCS HB 907 - Hosmer

24 HCS HB 1375 - May (108)

25 HCS HB 1040, 1554, 1252, 1286 & 979 - Hosmer

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310 - Dougherty

HCS HB 1737 & 1345, as amended, - Riback Wilson

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1822 - Kelly

HB 1836 - Dougherty

HB 1489 - Dougherty

HOUSE BILL FOR PERFECTION - CONSENT

(April 9, 1998)

HB 1783 - Lakin

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HS HCS HB 1656, (Budget Fiscal 4-2-98) - Bray

3 HB 1258, (Budget Fiscal 4-6-98) - Bland

4 HS HCS HB 1237, 1409, 1166, 1154 & 1491, (Budget Fiscal 4-8-98) - Luetkenhaus

5 HS HCS HB 1405, 1109 & 1335, (Budget Fiscal 4-9-98) - Smith

6 HS HCS HB 1317 - Fritts

7 HCS HB 1537 - Troupe

8 HB 1876, E.C. - Leake

9 HCS HB 1510 - Campbell

10 HB 1126 - Thomason (163), (Budget Fiscal 4-13-98)

11 HCS HB 1265 - Krieder

12 HB 893, E.C. - Backer

13 HB 1564, (Budget Fiscal 4-13-98) - Relford

HOUSE BILL FOR THIRD READING - INFORMAL

HB 1610, - DeMarce - (CONSENT)

HOUSE BILLS FOR THIRD READING - CONSENT

HB 1856 - Hosmer

HB 987 - Richardson

SENATE BILLS FOR THIRD READING - CONSENT

(April 9, 1998)

1 SB 764 - Hollingsworth

2 SB 658, E.C. - Stoll

3 HCS SB 535 - Bray

4 SCS SB 820, E.C. - Luetkenhaus

5 SCS SB 684 - Smith

6 SB 537 - May (108)

7 SB 488, E.C. - Stoll

8 HCS SCS SB 470 - Green

9 SB 918 - Schilling

10 SB 626, HCA 1 - Leake

11 SB 928 - Chrismer

12 HCS SB 842 - Crump

13 HCS SB 579 - Pryor

14 SB 695 - Kasten

15 SB 553, HCA 1 - Stoll

(April 13 1998)

16 SB 597 - Lawson

17 HCS SB 841 - Hagan-Harrell

18 HCS SCS SB 732 - O'Connor

19 SB 580 - Hoppe

20 SB 832 - Hoppe

21 HCS SB 917 - Hoppe

22 HCS SB 479 - Hoppe

23 HCS SB 550 - Hoppe

24 SB 733, HCA 1 - Stoll

25 SB 642 - Murray

26 SCS SB 652 - Robirds

27 SB 766, E.C. - Hosmer

28 SB 720 - Thompson (72)

29 SB 961 - Dougherty

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford


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House Journal

Second Regular Session, 89th General Assembly

FIFTY-THIRD DAY, Tuesday, April 14, 1998

Representative Scheve in the Chair.

Prayer by Father Hugh Behan.

"This is the day that the Lord has made, let us rejoice and be glad in it." (Ps. 118:24)

The glorious Spring weather and the chance to celebrate Easter and Passover at home with friends and family set the tone for the opening of this short week as we fix our eyes on the work yet remaining in this session. Our prayers and thoughts go out to those who suffered here in Missouri from the severe weather this weekend and the devastation done all over the nation earlier.

This afternoon, gracious God, we pray for all that needs to be done yet and for the accomplishments that have taken place. We give thanks for the message of the holy days, the strength we draw from family and the challenge that is posed by Your message which is set over against the values we often absorb from the world and the temptation to compromise core principles for short-term gain. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sankha Banerjee, Robert Jenke, Dorneshea Bailey, Jennifer Hoffman, Trevor Sheade, Leigh Tettinger, Hyung-Min Park, Angela Grana, Jennifer Rector, Jared Houk, Ann Schmedding, Angela Bolejack, Jinna Green, Jared Meyer, Cody Moss, Ashley Guest, Emily Counce, Trisha Counce, Bret Watkins and Clay Watkins.

The Journal of the fifty-first day was approved as corrected.

The Journal of the fifty-second day was approved as printed.

RESOLUTIONS

Representatives Heckemeyer, Williams (159), Copeland, Merideth, Richardson, Foster, Thomason (163) and Koller offered House Resolution No. 879, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crawford offered House Resolution No. 880, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 881, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ballard offered House Resolution No. 882, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 883 and House Resolution No. 884, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Green, et al, offered House Resolution No. 885.

Representative Steen offered House Resolution No. 886, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boatright offered House Resolution No. 887 through House Resolution No. 890, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 891, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Copeland offered House Resolution No. 892, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative DeMarce offered House Resolution No. 893, which was referred to the Committee on Miscellaneous Bills and Resolutions.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HB 1317 - Budget (Fiscal Note)

HCS HB 1537 - Budget (Fiscal Note)

HB 1945 - Education - Elementary and Secondary

HB 1946 - Education - Elementary and Secondary

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 002

Lograsso Reynolds

ABSENT WITH LEAVE: 004

Bonner Murphy Shear Summers

VACANCIES: 001

PERFECTION OF HOUSE BILLS - FEDERAL MANDATE

HB 1822, relating to child adoption and placement, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **HB 1822** was ordered perfected and printed.

HB 1836, relating to child support, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HB 1836** was ordered perfected and printed.

HB 1489, relating to lead abatement, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HB 1489** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HB 1876, relating to commodity merchandising programs, was taken up by Representative Leake.

On motion of Representative Leake, **HB 1876** was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Boatright Bonner Heckemeyer Murphy Shear
Vogel

VACANCIES: 001

Representative Scheve declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Auer Backer Ballard Barnett Barry 100
Bartlett Bauer Bennett Berkstresser Bland
Boatright Boucher Bray 84 Broach Burton
Campbell Carter Champion Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gunn Hagan-Harrell Harlan
Hartzler 124 Heckemeyer Hegeman Hickey Hilgemann
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Long Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 012

Akin Alter Bartelsmeyer Chrismer Edwards-Pavia

Gross Hall Hendrickson Hohulin Lograsso

Loudon Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 005

Bonner Hartzler 123 Kelly 27 Murphy Shear

VACANCIES: 001

On motion of Representative Gunn, title to the bill was agreed to.

Representative Bray moved that the vote by which the bill passed be reconsidered.

Representative Stroker moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1510, relating to unclaimed property, was taken up by Representative Campbell.

On motion of Representative Campbell, **HCS HB 1510** was read the third time and passed by the following vote:

AYES: 159

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bonner Murphy Shear

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Harlan, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Riback Wilson moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw assumed the Chair.

HCS HB 1265, relating to school building revolving fund, was taken up by Representative Kreider.

On motion of Representative Kreider, **HCS HB 1265** was read the third time and passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kelley 47 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 001

Kauffman

PRESENT: 000

ABSENT WITH LEAVE: 004

Bonner Kelly 27 Murphy Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Ransdall moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

HB 893, relating to electronic filing with the Ethics Commission, was taken up by Representative Backer.

On motion of Representative Backer, **HB 893** was read the third time and passed by the following vote:

AYES: 159

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bonner Murphy Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Akin Alter Auer Backer Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boucher Bray 84 Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 005

Ballard Boatright Edwards-Pavia Hohulin Linton

PRESENT: 000

ABSENT WITH LEAVE: 006

Bonner Franklin Hartzler 124 Kennedy Murphy

Shear

VACANCIES: 001

On motion of Representative Gratz, title to the bill was agreed to.

Representative Koller moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1856, relating to taximeters, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1856** was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Harlan Hartzler 123 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Sheldon 104
Shelton 57 Shields Skaggs Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 004

Hall Lograsso Ridgeway Smith

PRESENT: 000

ABSENT WITH LEAVE: 004

Bonner Hartzler 124 Murphy Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hilgemann, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider assumed the Chair.

HB 987, relating to marriage licenses, was taken up by Representative Richardson.

On motion of Representative Richardson, **HB 987** was read the third time and passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Troupe Van Zandt
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bonner Hartzler 124 Murphy Shear Vogel

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HB 1021, with House Committee Amendment No. 1, relating to appropriations, was taken up by Representative

Franklin.

HB 1021, with House Committee Amendment No. 1, pending, was laid over.

PERFECTION OF HOUSE BILL

HB 1381, relating to internet voting, was taken up by Representative Fritts.

Representative Purgason offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1381, Page 1, Section 1, Line 13, by adding the following:

"The provisions of this section shall apply only to those counties in which the sponsors of the enacting legislation reside."

Representative Fritts raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Purgason moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 070

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Burton
Champion Chrismer Cierpiot Cooper Crawford
Dolan Donovan Edwards-Pavia Elliott Enz
Foster Froelker Gaskill Gaston Gibbons
Graham 106 Griesheimer Gross Hall Hartzler 124
Hegeman Hendrickson Hohulin Holand Howerton
Kasten Kelley 47 Klindt Legan Levin
Linton Lograsso Long Loudon Marble
McClelland Miller Naeger Nordwald Ostmann
Pouche Pryor Purgason Reinhart Richardson
Ridgeway Robirds Ross Sallee Schwab
Scott Secrest Shields Steen Summers
Surface Townley Vogel Wannenmacher Wooten

NOES: 089

Auer Backer Barry 100 Bartlett Bauer
Bland Boucher Bray 84 Campbell Carter

Clayton Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dougherty

Evans Farnen Fitzwater Foley Ford

Franklin Fritts Graham 24 Gratz Green

Gunn Hagan-Harrell Harlan Hartzler 123 Heckemeyer

Hickey Hilgemann Hollingsworth Hoppe Hosmer

Johnson Kauffman Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Liese Luetkenhaus May 108 Mays 50 McBride

McLuckie Merideth Monaco Murray O'Connor

O'Toole Overschmidt Parker Patek Ransdall

Relford Reynolds Rizzo Scheve Schilling

Seigfreid Sheldon 104 Shelton 57 Skaggs Smith

Stokan Stoll Stroker Thomason 163 Thompson 37

Thompson 72 Treadway Troupe Van Zandt Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Bonner Murphy Shear

VACANCIES: 001

Representative Fritts offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 1381, Page 1, Section 1, Line 7, by deleting after the period on line 7 to the period on line 8, and inserting in lieu thereof the following:

"Notwithstanding any other laws to the contrary, this pilot project and all necessary activities incident thereto are authorized to be conducted under the direction of the Federal Voting Assistance Program. Insofar as is technically feasible, ballots shall be presented and votes shall be cast and counted in conformity with applicable provisions of chapter 115 RSMo."

And further amend said section, line 10, by inserting before the word "security" the following: "voter identification, ballot presentation,".

On motion of Representative Fritts, House Amendment No. 2 was adopted.

Representative Ford offered House Amendment No. 3.

Representative Fritts raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Ridgeway offered House Amendment No. 3.

House Amendment No. 3

AMEND House Bill No. 1381, Page 1, Section 1, Line 3, by adding after the word "federal" the following word "overseas".

On motion of Representative Ridgeway, House Amendment No. 3 was adopted by the following vote:

AYES: 077

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Crawford

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Foster Froelker Gaskill Gaston

Gibbons Graham 106 Griesheimer Gross Hall

Hartzler 123 Hartzler 124 Hegeman Hendrickson Hohulin

Holand Howerton Kasten Kauffman Kelley 47

Klindt Lawson Legan Levin Linton

Lograsso Long Loudon Marble McClelland

Merideth Miller Naeger Nordwald Ostmann

Patek Pouche Pryor Purgason Reinhart

Richardson Ridgeway Robirds Ross Sallee

Schwab Scott Secrest Sheldon 104 Shields

Steen Summers Surface Townley Vogel

Wannenmacher Wooten

NOES: 076

Backer Barry 100 Bartlett Bauer Bland

Boucher Bray 84 Campbell Carter Clayton

Copeland Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dougherty Farnen

Fitzwater Foley Franklin Fritts Graham 24

Gratz Green Gunn Hagan-Harrell Harlan

Heckemeyer Hilgemann Hollingsworth Hoppe Hosmer

Johnson Kelly 27 Kennedy Kissell Koller

Kreider Lakin Leake Liese Luetkenhaus

Mays 50 McBride McLuckie Monaco Murray

O'Connor Overschmidt Parker Ransdall Relford

Reynolds Rizzo Scheve Schilling Seigfreid

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Thomason 163 Thompson 72 Treadway Troupe

Van Zandt Wiggins Williams 121 Williams 159 Wilson

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer Bonner Ford Hickey May 108

Murphy O'Toole Shear Thompson 37

VACANCIES: 001

On motion of Representative Fritts, **HB 1381, as amended,** was ordered perfected and printed.

Speaker Gaw resumed the Chair.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HB 1021, with House Committee Amendment No. 1, pending, relating to appropriations, was again taken up by Representative Franklin.

On motion of Representative Franklin, House Committee Amendment No. 1 was adopted.

On motion of Representative Franklin, **HB 1021, as amended,** was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HB 1684, relating to family care safety act, was taken up by Representative Hollingsworth.

On motion of Representative Hollingsworth, **HCS HB 1684** was adopted.

On motion of Representative Hollingsworth, **HCS HB 1684** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **SB 828**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Commerce, to which was referred **SB 829**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred **SB 870**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **SB 884**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **SB 551**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **SB 739**, begs leave to report it has examined the same and recommends that it the **House Committee Substitute Do Pass by Consent.**

Committee on Motor Vehicle and Traffic Regulations, Chairman Thomason reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 649**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 940**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Social Services, Medicaid and the Elderly, Chairman Gunn reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1153**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Workers Compensation and Employment Security, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred **SB 839**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.**

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, April 15, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-fifth Day, Monday, March 9, 1998, page 479, lines 24 and 25, by deleting all of said lines and inserting in lieu thereof the following:

"Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 998**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**."

Correct House Journal, Fifty-first Day, Thursday, April 9, 1998, page 1001, lines 27 through 29, by deleting all of said lines.

Pages 985 and 986, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 988, roll call, by showing Representative Patek voting "aye" rather than "absent with leave".

Pages 989 and 990, roll call, by showing Representatives Dolan and Patek voting "aye" rather than "absent with leave".

Pages 993 and 994, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 999, roll call, by showing Representatives Kelley (47), Long and Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 15, 1998, 1:00 pm. Hearing Room 6. Executive session.

To be considered - SB 719

BUDGET

Wednesday, April 15, 1998, 8:30 am. Hearing Room 9. Possible executive

session on previously heard bills.

To be considered - HB 1258, HB 1237

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 15, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session.

CRIMINAL LAW

Wednesday, April 15, 1998. House Chamber upon morning adjournment.

Executive session.

EDUCATION - HIGHER

Thursday, April 16, 1998, 9:45 am. Side gallery.

To be considered - Executive Session - SB 641

ENVIRONMENT AND ENERGY

Thursday, April 16, 1998, 8:30 am. Hearing Room 6. Continuation of

hearing held on 4-9-98. Executive session may follow.

To be considered - SB 541, SCR 31

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, April 15, 1998, 9:00 am. Hearing Room 8. CANCELLED

To be considered - HB 1934

JUDICIARY

Wednesday, April 15, 1998, 8:00 am. Hearing Room 5.

To be considered - SB 614, SB 790, Executive Session - SB 657

LOCAL GOVERNMENT AND RELATED MATTERS

Wednesday, April 15, 1998, 9:30 am. Side gallery. Continuation of hearing held on 4-14-98. Executive session will follow.

To be considered - SB 898, SB 743, SB 517, SB 653, SB 800

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 15, 1998, 8:30 am. Hearing Room 6.

To be considered - HR 646, HB 1923, SB 536

MUNICIPAL CORPORATIONS

Wednesday, April 15, 1998. Hearing Room 7 upon morning adjournment.

To be considered - Executive Session - SB 629

MUNICIPAL CORPORATIONS

Thursday, April 16, 1998. Hearing Room 7 upon morning adjournment.

To be considered - Executive Session - SB 629

PUBLIC HEALTH AND SAFETY

Wednesday, April 15, 1998. Hearing Room 9 upon morning adjournment.

Executive session may follow.

To be considered - SB 689

RETIREMENT

Wednesday, April 15, 1998, 8:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 501

STATE PARKS, NATURAL RESOURCES & MINING

Thursday, April 16, 1998, 9:30 am. Hearing Room 7. Executive session to follow.

To be considered - SB 848

TRANSPORTATION

Wednesday, April 15, 1998, 1:00 pm. Hearing Room 5. Executive session to follow.

To be considered - SB 861, SB 604

HOUSE CALENDAR

Fifty-fourth Day, Wednesday, April 15, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 26 - Hosmer

HJR 35 - Parker

HOUSE BILLS FOR PERFECTION

1 HCS HB 1674 - Rizzo

2 HCS HB 998 - Kissell

3 HB 976, HCA 1 & 2 - Bauer

4 HB 1302 - Bland

5 HCS HB 1051 & 1276 - May (108)

6 HCS HB 964 - Barry

7 HCS HB 1536 - Lakin

8 HCS HB 1749 - Stokan

9 HCS HB 1643 -

10 HCS HB 1736 - Riback Wilson

11 HCS HB 1626 - Thomason (163)

12 HCS HB 1891 - Crump

13 HB 1782 - Kennedy

14 HCS HB 1488 - Williams (121)

15 HCS HB 1124 - Shear

16 HB 1796, HCA 1 - Harlan

17 HB 1380 - Kreider

18 HB 962 - Backer

19 HB 1202 - DeMarce

20 HCS HB 1138 - Leake

21 HCS HB 907 - Hosmer

22 HCS HB 1375 - May (108)

23 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

24 HB 958 - Liese

25 HCS HB 1153 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310 - Dougherty

HCS HB 1737 & 1345, as amended, - Riback Wilson

HOUSE BILL FOR PERFECTION - CONSENT

(April 9, 1998)

HB 1783 - Lakin

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HS HCS HB 1656, (Budget Fiscal 4-2-98) - Bray

3 HB 1258, (Budget Fiscal 4-6-98) - Bland

4 HS HCS HB 1237, 1409, 1166, 1154 & 1491, (Budget Fiscal 4-8-98) - Luetkenhaus

5 HS HCS HB 1405, 1109 & 1335, (Budget Fiscal 4-9-98) - Smith

6 HS HCS HB 1317, (Budget Fiscal 4-14-98) - Fritts

7 HCS HB 1537, (Budget Fiscal 4-14-98) - Troupe

8 HB 1126, (Budget Fiscal 4-13-98) - Thomason (163)

9 HB 1564, (Budget Fiscal 4-13-98) - Relford

HOUSE BILL FOR THIRD READING - INFORMAL

HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR THIRD READING - CONSENT

(April 9, 1998)

1 SB 764 - Hollingsworth

2 SB 658, E.C. - Stoll

3 HCS SB 535 - Bray

4 SCS SB 820, E.C. - Luetkenhaus

5 SCS SB 684 - Smith

6 SB 537 - May (108)

7 SB 488, E.C. - Stoll

8 HCS SCS SB 470 - Green

9 SB 918 - Schilling

10 SB 626, HCA 1 - Leake

11 SB 928 - Chrismer

12 HCS SB 842 - Crump

13 HCS SB 579 - Pryor

14 SB 695 - Kasten

15 SB 553, HCA 1 - Stoll

(April 13, 1998)

16 SB 597 - Lawson

17 HCS SB 841 - Hagan-Harrell

18 HCS SCS SB 732 - O'Connor

19 SB 580 - Hoppe

20 SB 832 - Hoppe

21 HCS SB 917 - Hoppe

22 HCS SB 479 - Hoppe

23 HCS SB 550 - Hoppe

24 SB 733, HCA 1 - Stoll

25 SB 642 - Murray

26 SCS SB 652 - Robirds

27 SB 766, E.C. - Hosmer

28 SB 720 - Thompson (72)

29 SB 961 - Dougherty

(April 15, 1998)

30 SB 870 -

31 SCS SB 649 - Luetkenhaus

32 SB 828 -

33 SB 829 -

34 SB 551 - Cooper

35 HCS SB 839 -

36 SB 884 - Gratz

37 SB 940 - Stoll

38 HCS SB 739 -

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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House Journal

Second Regular Session, 89th General Assembly

FIFTY-FOURTH DAY, Wednesday, April 15, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"The fear of the Lord is the beginning of knowledge." (Pr. 1:7).

A journalist recently quoted part of one of the prayers from early in the session and made a sarcastic reference to it as not being exciting. These prayers are not really designed to be exciting or entertaining, even if we do insert some humor into them once in a while.

Gracious God, help us to make this a time of prayer, of centering, of making You the beginning place from which we start. We know that there are many pressures on all of us to stray from Your path, to go it alone or to follow the crowd in ways that separate us from the Anchor which is Your law written in our hearts. May reference to prayer not be merely an excuse we make to do wrong things and may religion or a faith not be a crutch to back our pet desires or re-enforce our prejudices with faulty rationalization. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Benjamin Charles Petty, Anna Irene Schuler, Eric Robert Turner, Jacqueist Carolann Bond, Brian Royce Chavis, Latasha Denise Dora, Jonathan Crosby Duke, Britney Werle, Kara Lindeman, Kristin Gudmundsson, Mandy Brown, Samantha Fox, Kara Savage, Lisa Khalil, Josh Rickelmann, Alicia Peek, Jaclyn Bajier, Casey Pisciotta, Laura Eckart, Joe Spirk, Sarah Sholar, Laura Spore, Seth Tyre, Felicia Hayes, Whitney Thomas, Bejay Nichols, Dominque Falls, Samantha Shepard, Jared Miller, Ryan Talley, Brianna Thompson, Anthony Meadows, Robin Bischof, Julia Denkins, Shannon Griffin, Tasha Jones, Laura Tessens, Megan Briney Bischof, Adam Joseph Thiele, Matthew Schanuel, Emily Locke and Michael Kuba.

The Journal of the Fifty-third day was approved as corrected.

RESOLUTIONS

Representative Scheve offered House Resolution No. 894, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ford offered House Resolution No. 895, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 896 and House Resolution No. 897, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Green, Donovan, Hagan-Harrell, Stokan and Reynolds offered House Resolution No. 898, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 899 and House Resolution No. 900, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 901, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 902, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Dougherty offered House Resolution No. 903, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Edwards-Pavia and Alter offered House Resolution No. 904, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Lograsso, Ridgeway and Monaco offered House Resolution No. 905 through House Resolution No. 907, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 908 through House Resolution No. 910, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1656 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution No. 756** through **House Resolution No. 884** and **House Resolution No. 886** through **House Resolution No. 893**, begs leave to report it has examined the same and recommends that they **Do Pass**.

PERFECTION OF HOUSE BILL

HB 995, relating to high occupancy vehicle lanes, was taken up and placed back on the Informal Calendar.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 26, relating to forfeiture proceeds, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HJR 26** was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HB 1674, relating to economic development, was taken up by Representative Rizzo.

Representative Rizzo offered **HS No. 2 HCS HB 1674**.

Representative Campbell offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 1, In the Title, Line 12, by deleting the word "twenty-eight" and inserting in lieu thereof the word "twenty-seven"; and

Further amend said bill, Page 2, Section A, Line 1, by deleting the word "twenty-eight" and inserting in lieu thereof the word "twenty-seven"; and

Further amend said bill, Page 2, Section A, Line 4, by deleting the number "1,"; and

Further amend said bill, Page 64, Section 353.150, Lines 1 through 3, by deleting all of said lines and inserting in lieu thereof the following: "provisions of this chapter."; and

Further amend said bill, Page 99, Section 1, Lines 7 through 11, by deleting all of said section.

On motion of Representative Campbell, House Amendment No. 1 was adopted.

Representative Days offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 1, In the Title, Line 7, by inserting after the number "253.559" the following: ", 620.1023"; and

Further amend said bill, Page 1, In the Title, Line 12, by deleting the word "twenty-eight" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 1, Section A, Line 20, by inserting after the number "253.559" the following: ", 620.1023"; and

Further amend said bill, Page 2, Section A, Line 1, by deleting the word "twenty-eight" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 2, Section A, Line 4, by inserting after the number "447.708," the number "620.1023,"; and

Further amend said bill, Page 96, Section 447.708, Line 14, by inserting after all of said line the following:

"620.1023. 1. There is hereby created in the state treasury a revolving fund to be administered by the department of economic development to be known as the "Business Extension Service Team Fund". The fund shall consist of all moneys which may be appropriated to it by the general assembly, gifts, contributions, grants or bequests received from federal, private or other sources. A percentage of the moneys in such fund shall be used by the department for grants or loans for qualified community development projects in order to create or retain jobs in any city not within a county [and]**,** any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county **and any fourth class city with a population of at least three thousand five hundred inhabitants but not more than five thousand five hundred inhabitants**, and shall be targeted toward economically blighted urban districts for new businesses, expansion of existing businesses and for employee training and housing. The department may require such grants or loans to be made on a matching fund basis. **Any community that receives a grant or loan may use up to twenty percent of such grant or loan for administrative costs.** As used in this subdivision, "economically blighted urban districts" means areas which meet all of the following criteria:

(1) The area is one of pervasive poverty, unemployment, and general distress;

(2) The area is located wholly within an area which meets the requirements for federal assistance under section 119 of the Housing and Community Development Act of 1974, as amended;

(3) At least sixty-five percent of the residents living in the area have incomes below eighty percent of the median income of all residents within the state of Missouri according to the last decennial census or other appropriate source as approved by the director of the department of economic development;

(4) The resident population of the area is at least four thousand at the time of designation as an economically blighted urban district. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction; and

(5) The level of unemployment of persons, according to the most recent data available from the division of employment security or from the United States Bureau of Census and approved by the director of the department of economic development, within the area exceeds one and one-half times the average rate of unemployment for the state of Missouri over the previous twelve months, or the percentage of area residents employed on a full-time basis is less than fifty percent of the statewide percentage of residents employed on a full-time basis.

2. The department of economic development may use a percentage of the moneys in the fund established in subsection 1 of this section to directly contract with community development corporations established pursuant to section 135.400, RSMo, for the provision of job training or for creating or retaining jobs in any area meeting the criteria outlined in subsection 1 of this section.

3. All moneys remaining in the business extension service team fund at the end of the fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, RSMo, but shall remain in the business extension service team fund.".

On motion of Representative Days, House Amendment No. 2 was adopted.

Representative Smith offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 1, In the Title, Line 12, by deleting the word "twenty-eight" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 2, Section A, Line 1, by deleting the word "twenty-eight" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 2, Section A, Line 2, by inserting after the number "135.208," the number "135.209,"; and

Further amend said bill, Page 45, Section 135.208, Line 9, by inserting after all of said line the following:

"**135.209. Only those businesses or facilities located within an enterprise zone which employ United States citizens shall be eligible to receive tax credit benefits pursuant to sections 135.200 to 135.256. Such businesses or facilities located within an enterprise zone designated on or after August 28, 1998, shall certify to the department, on a form provided by the department, that this requirement has been and will continue to be met before any tax credits for the business or facility are certified by the department. Businesses or facilities located in an enterprise zone designated prior to August 28, 1998, and which receive enterprise zone tax credit benefits, shall certify to the department, on a form provided by the department, that the business or facility is in compliance with this requirement. Any business or facility receiving tax credit benefits pursuant to sections 135.200 to 135.256 and which does not comply with the requirements of this section while such benefits are received shall become ineligible for further benefits from the date the noncompliance is verified by the department.**".

On motion of Representative Smith, House Amendment No. 3 was adopted.

Representative Schilling offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 105, Section 9, Line 4, by inserting the following new section after line 4:

"**Section 10. No corporation or business shall receive any tax credit benefits pursuant to sections 135.100 - 135.256 for an eligible project if the business, the corporate entity, or any principal owners of such has been found guilty or has pled nolo contendre to more than one violation of section 290.502 RSMo, Chapter 292, RSMo or Chapter 294, RSMo or any of the five years prior to application for any of these tax credit benefits.**"

On motion of Representative Schilling, House Amendment No. 4 was adopted.

Speaker Gaw assumed the Chair.

Representative Rizzo offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 45, Section 135.257, Line 14, by deleting the number "**135.200**" and inserting in lieu thereof the number "**135.100**"; and

Further amend said bill, Page 69, Section 447.701, Line 18, by deleting the word "**shells**" and inserting in lieu thereof the word "**sells**"; and

Further amend said bill, Page 69, Section 447.701, Line 21, by deleting the word "**guarantee**" and inserting in lieu thereof the word "**guarantees**".

On motion of Representative Rizzo, House Amendment No. 5 was adopted.

Representative Thompson (37) offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 105, Section 9, Line 4, by adding the following new section:

"**Section 10. The recruitment of individuals selected for the upgrade training pursuant to sections 1 - 9 of this bill shall be coordinated with the private industry councils to ensure that economically disadvantaged persons are included in any upgrade training provided.**"

On motion of Representative Thompson (37), House Amendment No. 6 was adopted.

Representative Fitzwater offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 1, In the Title, Line 12, by deleting the word "twenty-eight" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 2, Section A, Line 1, by deleting the word "twenty-eight" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 2, Section A, Line 2, by inserting after the number "135.208," the number "135.242,"; and

Further amend said bill, Page 45, Section 135.208, Line 9, by inserting after all of said line the following:

*"**135.242. 1. Notwithstanding any other provision of law to the contrary, any taxpayer may sell, assign, exchange, convey or otherwise transfer to any third party, for application against any and all of such third party's Missouri income tax liability, all or any portion of tax credits available pursuant to sections 135.200 to 135.256 in connection with a facility or facilities producing from agricultural products alcohol or fuel additives from alcohol for incorporation into fuel or fuel additives.***

***2. Notwithstanding any other provision of law to the contrary, any taxpayer having tax credits available pursuant to sections 135.200 to 135.256 in connection with a facility or facilities located in Missouri producing from agricultural products alcohol or fuel additives from alcohol for incorporation into fuel or fuel additives may apply such credits against any and all of such taxpayer's Missouri income tax liability and such taxpayer may allocate all or any part of such credits to its shareholder, partners, members, substantial suppliers or substantial creditors, in any manner of allocation as such taxpayer shall determine.**".*

On motion of Representative Fitzwater, House Amendment No. 7 was adopted.

Representative Boatright offered House Amendment No. 8.

Representative Rizzo raised a point of order that House Amendment No. 8 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Pryor offered House Amendment No. 8.

House Amendment No. 8

Amend House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 99, Section 1, Line 11, by inserting immediately following the word "effect." the following:

*"**No political subdivision which has participated in or derived benefits from tax increment financing pursuant to sections 99.800 to 99.865, RSMo, shall establish, mandate or otherwise require a minimum wage that exceeds the state minimum wage.**"*

Representative Rizzo raised a point of order that House Amendment No. 8 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Pryor moved that House Amendment No. 8 be adopted.

Which motion was defeated by the following vote:

AYES: 078

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Crawford

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Foster Froelker Gaskill Gaston

Gibbons Graham 106 Griesheimer Gross Hall

Hartzler 123 Hartzler 124 Hegeman Hendrickson Hohulin

Holand Howerton Kasten Kauffman Kelley 47

Klindt Koller Legan Levin Linton

Lograsso Long Loudon Marble McClelland

Merideth Miller Murphy Naeger Nordwald

Ostmann Patek Pouche Pryor Purgason

Reinhart Richardson Ridgeway Robirds Ross

Sallee Schwab Scott Sheldon 104 Shields

Steen Summers Surface Thomason 163 Townley

Vogel Wannenmacher Wooten

NOES: 080

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Clayton Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dougherty

Farnen Fitzwater Foley Ford Franklin

Fritts Graham 24 Gratz Green Gunn

Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann

Hollingsworth Hoppe Hosmer Johnson Kelly 27

Kennedy Kissell Kreider Lakin Lawson

Liese Luetkenhaus May 108 Mays 50 McBride

McLuckie Monaco Murray O'Connor O'Toole

Parker Ransdall Relford Reynolds Rizzo

Scheve Schilling Seigfreid Shear Shelton 57

Skaggs Smith Stokan Stoll Stroker

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 004

Bonner Leake Overschmidt Secrest

VACANCIES: 001

Representative Scheve offered House Amendment No. 9.

Representative Rizzo raised a point of order that House Amendment No. 9 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Hilgemann offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 105, Section 9, Line 4, by adding the following new section after line 4:

*"**Section 10. No corporation shall receive a tax credit for an eligible project, pursuant to sections 135.100 to 135.256, if it has paid a fine of $10,000 or more as a result of a violation of a law or rule enforced by the Division of Environmental Quality of the Department of Natural Resources in the five years prior to application for tax credit.**"*

Representative Hilegmann moved that House Amendment No. 9 be adopted.

Which motion was defeated by the following vote:

AYES: 043

Auer Backer Bauer Bland Boucher

Bray 84 Carter Crump Daniel 42 Davis 63

Days Dougherty Foley Green Hagan-Harrell

Harlan Hilgemann Johnson Kennedy Liese

May 108 McBride McClelland McLuckie Monaco

Murray O'Connor O'Toole Ransdall Reynolds

Schilling Shear Shelton 57 Skaggs Stokan

Stroker Thompson 72 Treadway Troupe Van Zandt

Williams 121 Wilson Mr. Speaker

NOES: 107

Akin Alter Ballard Barnett Barry 100

Bartelsmeyer Bartlett Berkstresser Boatright Broach

Burton Campbell Champion Cierpiot Cooper

Crawford Daniels 41 Davis 122 DeMarce Dolan

Donovan Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Griesheimer Gross

Hall Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Kasten Kauffman Kelley 47

Kelly 27 Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Linton

Lograsso Long Loudon Luetkenhaus Marble

Mays 50 Merideth Miller Murphy Naeger

Nordwald Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Reinhart Relford

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schwab Scott Sheldon 104

Shields Smith Steen Summers Surface

Thomason 163 Thompson 37 Townley Vogel Wannenmacher

Williams 159 Wooten

PRESENT: 000

ABSENT WITH LEAVE: 012

Bennett Bonner Chrismer Clayton Copeland

Gunn Hickey Kissell Secrest Seigfreid

Stoll Wiggins

VACANCIES: 001

Representative Hohulin offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 45, Section 135.110, Line 9, by adding after line 9:

"In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210, and 135.256, the department of economic development shall designate one such zone for any third class county with a township form of government with less than eleven thousand inhabitants, bordered by a state border, a first class county and 2 third class counties. Such enterprise zone designation shall only be made if the area in the county which is to be included in the enterprise zone meets all the requirements of section 135.205".

On motion of Representative Hohulin, House Amendment No. 10 was adopted.

Representative Gibbons offered House Amendment No. 11.

Representative Van Zandt raised a point of order that House Amendment No. 11 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative DeMarce offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 1, In the Title, Line 2, by inserting after the word "sections" the number "32.110,"; and

Further amend said bill, Page 1, In the Title, Line 3, by inserting after the word "sections" the number "32.115";

and

Further amend said bill, Page 1, In the Title, Line 12, by deleting the word "twenty-eight" and inserting in lieu thereof the word "thirty"; and

Further amend said bill, Page 1, Section A, Line 17, by inserting after the word "Sections" the number "32.110,"; and

Further amend said bill, Page 1, Section A, Line 18, by inserting after the word "sections" the number "32.115,"; and

Further amend said bill, Page 2, Section A, Line 1, by deleting the word "twenty-eight" and inserting in lieu thereof the word "thirty"; and

Further amend said bill, Page 2, Section A, Line 2, by inserting after the word "sections" the following: "32.110, 32.115,"; and

Further amend said bill, Page 2, Section A, Line 5, by inserting after all of said line the following:

*"32.110. Any business firm which engages in the activities of providing physical revitalization, economic development, job training or education for individuals, community services, or crime prevention in the state of Missouri shall receive a tax credit as provided in section 32.115 if the director of the department of economic development annually approves the proposal of the business firm; except that, no proposal shall be approved which does not have the endorsement of the agency of local government within the area in which the business firm is engaging in such activities which has adopted an overall community or neighborhood development plan that the proposal is consistent with such plan. The proposal shall set forth the program to be conducted, the neighborhood area to be served, why the program is needed, the estimated amount to be contributed to the program and the plans for implementing the program. If, in the opinion of the director of the department of economic development, a business firm's contribution can more consistently with the purposes of sections 32.100 to 32.125 be made through contributions to a neighborhood organization as defined in subdivision (12) of section 32.105, tax credits may be allowed as provided in section 32.115. The director of the department of economic development is hereby authorized to promulgate rules and regulations for establishing criteria for evaluating such proposals by business firms for approval or disapproval and for establishing priorities for approval or disapproval of such proposals by business firms with the assistance and approval of the director of the department of revenue. The total amount of tax credit granted for programs approved [under] **pursuant to** sections 32.100 to 32.125 [for the first fiscal year] shall not exceed [five million two hundred fifty thousand dollars to be increased by no more than one million seven hundred fifty thousand dollars each succeeding fiscal year until the total tax credit approved reaches eight million seven hundred fifty thousand dollars and after July 1, 1989, no more than fourteen million dollars of tax credit shall be approved in any fiscal year] **fourteen million dollars in fiscal year 1999 and twenty million dollars in fiscal year 2000, and any subsequent fiscal year**, except as otherwise provided for proposals approved [under] **pursuant to** section 32.111**, 32.112** or 32.117. [The additional tax credits authorized by this section, to become effective after July 1, 1989, shall be increased by no more than two million dollars in any fiscal year.]*

32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

(1) The annual tax on gross premium receipts of insurance companies in chapter 148, RSMo;

*(2) The tax on banks determined [under] **pursuant to** subdivision (2) of subsection 2 of section 148.030, RSMo;*

(3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030, RSMo;

(4) The tax on other financial institutions in chapter 148, RSMo;

(5) The corporation franchise tax in chapter 147, RSMo;

(6) The state income tax in chapter 143, RSMo; and

(7) The annual tax on gross receipts of express companies in chapter 153, RSMo.

*2. For proposals approved [under] **pursuant to** section 32.110:*

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant

income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

(a) An area that is not part of a standard metropolitan statistical area;

(b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or

(c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture. Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in [any] fiscal year ***1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year****. When the [four]* ***maximum*** *dollar limit on the* ***seventy percent*** *tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates.* ***Programs for physical revitalization and community services shall receive a priority equivalent to the highest priority given any special program priority established pursuant to this subsection.*** *Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subdivision (5) of this section. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved [under]* ***pursuant to*** *section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed [twenty-two]* ***forty-six*** *million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460, RSMo. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;*

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

3. For proposals approved [under] ***pursuant to*** *section 32.111:*

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities by a business firm. Whenever said investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved [under] ***pursuant to*** *section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year;*

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify said certification;

(3) In the case of owner occupied affordable housing units, the qualifying owner occupant shall, before the

end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved [under] ***pursuant to*** *section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved [under]* ***pursuant to*** *section 32.112 shall not exceed one million dollars for each fiscal year.".*

On motion of Representative DeMarce, House Amendment No. 11 was adopted.

Representative Troupe offered House Amendment No. 12.

House Amendment No. 12

*AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 69, Section 447.700, Line 1, by inserting after "***occur***" on said line the following:*

*"**, if approval from the general assembly has been given for any improvements, remediation, lease or sale to said property;**".*

On motion of Representative Troupe, House Amendment No. 12 was adopted.

***HCS HB 1674**, **HS, as amended**, **pending,** was laid over.*

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caroline Iggulden, Jesse Sanes, Leah Goldberg, Haley Leonard, Joe Marincel, Angela Mareschal, Catherine Donovan, Felicia Hayes, Casey Smith, Amanda Skidmore and Trinity McMullin.

RESOLUTIONS

Representative Troupe offered House Resolution No. 911, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Edwards-Pavia offered House Resolution No. 912, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 913, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McBride offered House Resolution No. 914, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lakin offered House Resolution No. 915, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Davis (63) offered House Resolution No. 916, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bennett offered House Resolution No. 917, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Dougherty offered House Resolution No. 918, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Naeger offered House Resolution No. 919, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution No. 920, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelley (47) offered House Resolution No. 921, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative May (108) offered House Resolution No. 922, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Parker offered House Resolution No. 923, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Liese offered House Resolution No. 924, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crump offered House Resolution No. 925, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Schilling offered House Resolution No. 926, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Skaggs offered House Resolution No. 927, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Miller offered House Resolution No. 928, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray offered House Resolution No. 929, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Riback Wilson offered House Resolution No. 930, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hollingsworth offered House Resolution No. 931, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Barry offered House Resolution No. 932 and House Resolution No. 933, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (159) offered House Resolution No. 934, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

***Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Backer reporting:*

*Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1021**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed*

copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred ***HCS HB 1684****, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.*

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1822 *- Budget (Fiscal Note)*

HCS HB 1684 *- Budget (Fiscal Note)*

THIRD READING OF HOUSE BILL

HS HCS HB 1656*, relating to distressed communities, was taken up by Representative Bray.*

On motion of Representative Bray, ***HS HCS HB 1656*** *was read the third time and passed by the following vote:*

AYES: 117

Akin Alter Auer Backer Barnett

Barry 100 Bartlett Bauer Bland Boucher

Bray 84 Broach Campbell Carter Champion

Clayton Cooper Copeland Crump Daniel 42

Daniels 41 Davis 122 Days DeMarce Dougherty

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gunn Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hilgemann Hohulin Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Klindt

Kreider Lakin Lawson Leake Levin

Liese Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Merideth Monaco Murray

Naeger Nordwald O'Connor O'Toole Overschmidt

Parker Pryor Ransdall Reinhart Relford

Reynolds Rizzo Ross Sallee Scheve

Schilling Schwab Seigfreid Shear Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 033

Ballard Bartelsmeyer Bennett Berkstresser Boatright

Bonner Burton Chrismer Cierpiot Dolan

Edwards-Pavia Elliott Enz Froelker Gross

Hendrickson Kissell Legan Linton Lograsso

Long Loudon Marble Miller Murphy

Ostmann Patek Pouche Richardson Ridgeway

Robirds Surface Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 012

Crawford Davis 63 Donovan Evans Hagan-Harrell

Hickey Holand Koller Purgason Scott

Secrest Sheldon 104

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Days moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HB 1674, with HS, as amended, pending*, relating to economic development, was again taken up by Representative Rizzo.*

Representative Richardson offered House Amendment No. 13.

Representative Campbell raised a point of order that House Amendment No. 13 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Ladd Stokan offered House Amendment No. 13.

House Amendment No. 13

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 12, Section 67.130,

Line 8, by inserting immediately after said line the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Abandoned property", real property previously used for, or which has the potential to be used for, commercial or industrial purposes which reverted to the ownership of the state, a county, or municipal government, or an agency thereof, through donation, purchase, tax delinquency, foreclosure, default or settlement, including conveyance by deed in lieu of foreclosure or a privately owned property endorsed by the city, or county if the property is not in a city, for inclusion in the program which will be transferred to a person other than the potentially responsible party as defined in chapter 250, RSMo, and has been vacant or underutilized;

[(1)] ***(2)*** *"Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;*

[(2)] ***(3)*** *"Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;*

[(3)] ***(4)*** *"Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: Dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997[, the effective date of this section as it appears in senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly];*

[(4)] ***(5)*** *"Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997[, the effective date of this section as it appears in senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly], if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;*

[(5)] ***(6)*** *"Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:*

(a) Discourage commerce, industry or manufacturing from moving their operations to another state; or

(b) Result in increased employment in the municipality; or

(c) Result in preservation or enhancement of the tax base of the municipality;

[(6)] ***(7)*** *"Gambling establishment", an excursion gambling boat as defined in section 313.800, RSMo, and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850, RSMo. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997[, the effective date of this section as it appears in senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly];*

[(7)] ***(8)*** *"Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997[, the effective date of this section as it appears in senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly], "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;*

[(8)] ***(9)*** *"Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;*

[(9)] ***(10)*** *"Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;*

[(10)] ***(11)*** *"Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;*

[(11)] ***(12)*** *"Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, RSMo, or a combination thereof, which area includes only those parcels of real property directly and substantially benefited by the proposed redevelopment project;*

[(12)] ***(13)*** *"Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;*

[(13)] ***(14)*** *"Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;*

[(14)] ***(15)*** *"Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:*

(a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

(16) "Retail enterprise", any retail activity classified as SICs 52 through 59;

(17) "SIC", the standard industrial classification as such classifications are defined in the 1987 edition of the Standard Industrial Classification Manual as prepared by the executive office of the president, office of

management and budget;

[(15)] ***(18)*** *"Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;*

[(16)] ***(19)*** *"Taxing districts", any political subdivision of this state having the power to levy taxes;*

[(17)] ***(20)*** *"Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; [and]*

(21) "Underutilized", an otherwise abandoned property of which less than twenty-five percent of its floor space is occupied by an existing business whose SIC number is different from that of a proposed business to be located on the property. In addition, the property's highest and best use, as determined by the department of economic development may be achieved by the location of the proposed business upon it; and

[(18)] ***(22)*** *"Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.*

99.871. Tax increment financing, as provided for in sections 99.800 to 99.865, shall not be utilized for any redevelopment projects that are primarily retail enterprises. For the purposes of this section, "primarily" means that at least fifty-one percent of the area of the redevelopment project is reserved for retail enterprises. Tax increment financing shall be available, however, for redevelopment projects that are primarily retail enterprises if the redevelopment project is located within a redevelopment area that:

(1) Is part of a federal enterprise zone; or

(2) Has at least seventy-five percent of the residents living within a one-mile radius of the proposed site with incomes below seventy-five percent of the median income of all residents within the state of Missouri according to the last decennial census, and the level of unemployment of persons residing within a one-mile radius of the proposed site according to the most recent data available from the division of employment security or from the United States Bureau of the Census, exceeds one and one-half times the average rate of unemployment from the state of Missouri over the previous twelve months; or

(3) Has been underutilized property for at least three years.*"; and*

Further amend said bill's title and enacting clause accordingly.

On motion of Representative Ladd Stokan, House Amendment No. 13 was adopted by the following vote:

AYES: 093

Akin Alter Auer Backer Ballard

Barnett Bartlett Bauer Bennett Berkstresser

Bland Boatright Bray 84 Broach Burton

Carter Chrismer Crawford Daniel 42 Davis 63

Days Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Foley

Ford Foster Froelker Gaston Gibbons

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Hartzler 123 Hendrickson

Hilgemann Hosmer Howerton Johnson Kasten

Kauffman Kennedy Kissell Klindt Legan

Levin Liese Linton Long Loudon

Luetkenhaus May 108 McBride McClelland McLuckie

Merideth Miller Murphy Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Patek

Purgason Reinhart Reynolds Richardson Robirds

Ross Sallee Schilling Schwab Seigfreid

Stokan Stoll Summers Surface Thompson 72

Townley Williams 121 Wilson

NOES: 059

Barry 100 Bartelsmeyer Bonner Boucher Campbell

Champion Cierpiot Clayton Cooper Crump

Daniels 41 Davis 122 DeMarce Fitzwater Franklin

Fritts Gaskill Graham 106 Harlan Hartzler 124

Heckemeyer Hegeman Hohulin Hollingsworth Hoppe

Kelley 47 Kelly 27 Lakin Lawson Lograsso

Marble Mays 50 Monaco Nordwald Parker

Pouche Pryor Ransdall Relford Ridgeway

Rizzo Scheve Scott Shelton 57 Shields

Skaggs Smith Steen Stroker Thomason 163

Thompson 37 Treadway Troupe Van Zandt Vogel

Wannenmacher Williams 159 Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Copeland Hickey Holand Koller Kreider

Leake Secrest Shear Sheldon 104 Wiggins

VACANCIES: 001

Representative Pryor offered House Amendment No. 14.

House Amendment No. 14

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1674, Page 44, Section 135.208, Line 22, by inserting after all of said line the following:

*"**5. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone for any county of the first classification with a non-charter form of government with a population of less than thirty thousand in the last decennial census. Such enterprise zone designation shall only be made if the area in the county which is to be included in the enterprise zone meets all the requirements of section 135.205.**".*

And renumber the following sections accordingly.

On motion of Representative Pryor, House Amendment No. 14 was adopted.

***HCS HB 1674, with HS, as amended, pending**, was placed on the Informal Calendar.*

***HCS HB 998**, relating to tattoos and body piercing, was taken up by Representative Kissell.*

*On motion of Representative Kissell, **HCS HB 998** was adopted.*

*On motion of Representative Kissell, **HCS HB 998** was ordered perfected and printed.*

PERFECTION OF HOUSE BILL - INFORMAL

***HCS HBs 1737 & 1345, as amended**, relating to employee information, was again taken up by Representative Riback Wilson.*

Representative Riback Wilson offered House Amendment No. 2.

House Amendment No. 2

*AMEND House Committee Substitute for House Bills Nos. 1737 & 1345, Page 1, Section 290.140, Line 11, by deleting the words "**such employer**" and inserting in lieu thereof the following: "**an employer, as defined in subsection 1 of this section,**"; and*

*Further amend said bill, Page 1, Section 290.140, Line 12, by deleting said line and inserting in lieu thereof the following: "**least ninety days and has been discharged or voluntarily quit the service of such employer may request a letter of dismissal from the employer which shall include**"; and*

*Further amend said bill, Page 2, Section 290.140, Line 15, by deleting the word "**Pay**" and inserting in lieu thereof the words "**Most recent pay**"; and*

*Further amend said bill, Page 2, Section 290.140, Line 16, by deleting the word "**Job**" and inserting in lieu thereof the following: "**Most recent job**"; and*

*Further amend said bill, Page 2, Section 290.140, Line 17, by inserting after the word "**history**" the following: "**for the most recent two years or the length of employment, whichever is shorter**"; and*

*Further amend said bill, Page 2, Section 290.140, Lines 38 to 39, by deleting all of said lines and inserting in lieu thereof the following: "**4. For the purposes of subsections 4 and 5 of this section, "employer" means any individual, organization, partnership, political subdivision, corporation or other legal entity which has or had in the entity's employ one or more individuals performing services for the entity within this state. Unless otherwise provided by federal law, an employer who responds in writing to a written request from an employer concerning a current or**"; and*

*Further amend said bill, Page 2, Section 290.140, Line 43, by deleting the word "**Pay**" and inserting in lieu thereof the words "**Most recent pay**"; and*

*Further amend said bill, Page 2, Section 290.140, Line 44, by deleting the word "**Job**" and inserting in lieu thereof the words "**Most recent job**"; and*

*Further amend said bill, Page 3, Section 290.140, Line 57, by deleting the figure "**1**" and inserting the figure "**4**"; and*

*Further amend said bill, Page 3, Section 290.140, Line 63, by deleting the words "**in any**"; and*

*Further amend said bill, Page 3, Section 290.140, Line 64, by deleting the words "**action, of whatever nature,**".*

On motion of Representative Riback Wilson, House Amendment No. 2 was adopted.

On motion of Representative Riback Wilson, ***HCS HBs 1737 & 1345, as amended,*** *was adopted.*

On motion of Representative Riback Wilson, ***HCS HBs 1737 & 1345, as amended,*** *was ordered perfected and printed.*

PERFECTION OF HOUSE BILLS

HB 976, with House Committee Amendment Nos. 1 and 2*, relating to St. Louis students Bill of Rights, was taken up by Representative Bauer.*

Representative Bauer offered ***HS HB 976****.*

Representative Ballard offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Bill No. 976, Page 7, Section 1, Line 20, by adding after "district", "However the district shall not be responsible for transportation for the transfer in subsection 6."

On motion of Representative Ballard, House Amendment No. 1 was adopted.

Representative Shields offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Bill No. 976, Page 2, Section 168.221, Line 13, by deleting the language after the period, and further amend said bill, same section, by deleting lines 14 through 21.

Representative Green assumed the Chair.

Representative Shields moved that House Amendment No. 2 be adopted.

Which motion was defeated.

On motion of Representative Bauer, ***HS HB 976, as amended,*** *was adopted.*

On motion of Representative Bauer, ***HS HB 976, as amended,*** *was ordered perfected and printed.*

HB 1302*, relating to essential community providers, was taken up by Representative Bland.*

Representative Elliott offered House Amendment No. 1.

Representative Auer raised a point of order that House Amendment No. 1 is not germane to the bill.

Representative Green requested a parliamentary ruling.

The Parlimentary Committee ruled the point of order well taken.

On motion of Representative Bland, ***HB 1302*** *was ordered perfected and printed.*

***HCS HBs 1051 & 1276**, relating to claims against the state, was taken up by Representative May (108).*

*Representative May (108) offered **HS HCS HBs 1051 & 1276.***

Representative Patek raised a point of order that the House Substitute is not germane to the bill.

Representative Green requested a parliamentary ruling.

The Parlimentary Committee ruled the point of order not well taken.

Representative Thomason (163) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1051 & 1276, Page 11, Section 537.610, Line 14, by inserting after all of said line the following:

6. Notwithstanding any other provisions of 537.600 to 537.650 the rules of joint and several liability as set out in 537.067 shall not apply to the state, its public entities and their employees, agents, servants and representatives on claims within the scope of sections 537.600 to 537.650, but the state, its public entities and their employees, agents, servants and representatives shall be liable only for any amounts apportioned to them and directly attributable to them.

Representative Hosmer offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1051 & 1276, Page 15, Section 537.756, Line 14, by inserting immediately after said line the following:

3. The provisions of this act increasing the liability of the state and its public entities shall only be applied to those causes of action that accrue on or after the effective date of this act.

Representative Hosmer moved that House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 072

Backer Barry 100 Bartlett Bauer Bland

Bonner Boucher Bray 84 Broach Carter

Cierpiot Clayton Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Farnen

Foley Ford Franklin Fritts Graham 24

Green Gunn Hagan-Harrell Hall Harlan

Heckemeyer Hilgemann Hollingsworth Hoppe Hosmer

Johnson Kelly 27 Kennedy Kissell Kreider

Lakin Liese Lograsso Luetkenhaus May 108

Mays 50 McBride McLuckie Monaco Murray

O'Connor O'Toole Parker Reynolds Ridgeway

Rizzo Scheve Schilling Shear Shelton 57

Smith Stokan Stoll Stroker Thompson 72

Treadway Troupe Van Zandt Wannenmacher Williams 121

Wilson Mr. Speaker

NOES: 082

Akin Alter Auer Ballard Barnett

Bartelsmeyer Bennett Berkstresser Boatright Burton

Campbell Champion Chrismer Cooper Crawford

Crump Dougherty Edwards-Pavia Elliott Enz

Evans Fitzwater Foster Froelker Gaskill

Gaston Gibbons Graham 106 Gratz Gross

Hartzler 123 Hartzler 124 Hegeman Hendrickson Hohulin

Holand Howerton Kasten Kauffman Kelley 47

Klindt Koller Lawson Leake Legan

Levin Linton Long Loudon Marble

McClelland Merideth Miller Murphy Naeger

Nordwald Ostmann Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Richardson

Robirds Ross Sallee Schwab Seigfreid

Shields Skaggs Steen Summers Surface

Thomason 163 Thompson 37 Townley Vogel Wiggins

Williams 159 Wooten

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland Donovan Griesheimer Hickey Overschmidt

Scott Secrest Sheldon 104

VACANCIES: 001

Speaker Gaw resumed the Chair.

On motion of Representative Thomason (163), House Amendment No. 1 was adopted by the following vote:

AYES: 085

Akin Alter Auer Ballard Barnett

Bartelsmeyer Berkstresser Boatright Burton Campbell

Champion Chrismer Cooper Crawford Crump

Daniels 41 Davis 63 Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foster Froelker Gaskill Gaston Graham 106

Gratz Gross Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hilgemann Hohulin Holand Howerton

Johnson Kasten Kauffman Kelley 47 Klindt

Koller Kreider Leake Legan Linton

Long Loudon Marble McBride McClelland

Merideth Miller Naeger Nordwald Ostmann

Patek Pouche Pryor Purgason Reinhart

Relford Reynolds Richardson Robirds Ross

Sallee Schwab Seigfreid Shields Skaggs

Steen Summers Surface Thomason 163 Thompson 37

Townley Vogel Wannenmacher Wiggins Wooten

NOES: 062

Backer Barry 100 Bartlett Bauer Bland

Bonner Boucher Broach Carter Cierpiot

Clayton Daniel 42 Davis 122 Days DeMarce

Dolan Foley Franklin Fritts Gibbons

Graham 24 Green Gunn Hagan-Harrell Hall

Harlan Hollingsworth Hoppe Hosmer Kelly 27

Kennedy Lakin Lawson Levin Liese

Lograsso Luetkenhaus May 108 Mays 50 McLuckie

Monaco Murray O'Connor O'Toole Parker

Ridgeway Rizzo Scheve Schilling Shear

Shelton 57 Smith Stokan Stoll Stroker

Thompson 72 Treadway Van Zandt Williams 121 Williams 159

Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 015

Bennett Bray 84 Copeland Ford Griesheimer

Heckemeyer Hickey Kissell Murphy Overschmidt

Ransdall Scott Secrest Sheldon 104 Troupe

VACANCIES: 001

Representative Froelker offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1051 & 1276, Page 11, Section 537.610, Line 4, by deleting lines 4 through 14; and

further amend House Substitute for House Committee Substitute for House Bills Nos. 1051 & 1276, page 15, Section 537.756, by deleting lines 1 through 11.

Representative Froelker moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 070

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Burton Champion

Chrismer Cierpiot Cooper Crawford Dolan

Donovan Edwards-Pavia Elliott Enz Evans

Foster Froelker Gaskill Gibbons Graham 106

Gross Hall Hartzler 123 Hartzler 124 Hegeman

Hohulin Holand Howerton Kasten Kauffman

Kelley 47 Klindt Koller Legan Levin

Linton Long Loudon Marble McClelland

Merideth Miller Murphy Naeger Nordwald

Ostmann Patek Pouche Pryor Purgason

Reinhart Richardson Robirds Ross Sallee

Schwab Shields Steen Summers Surface

Thomason 163 Townley Vogel Wannenmacher Wooten

NOES: 079

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Broach

Campbell Carter Clayton Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dougherty Farnen Fitzwater Foley Franklin

Fritts Gaston Graham 24 Gratz Green

Gunn Hagan-Harrell Harlan Hendrickson Hilgemann

Hollingsworth Hoppe Hosmer Johnson Kelly 27

Kennedy Kissell Kreider Lakin Lawson

Liese Lograsso Luetkenhaus May 108 Mays 50

McBride McLuckie Monaco Murray O'Connor

O'Toole Parker Ransdall Relford Reynolds

Ridgeway Rizzo Scheve Schilling Shear

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Thompson 37 Thompson 72 Treadway Van Zandt

Williams 121 Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 013

Copeland Ford Griesheimer Heckemeyer Hickey

Leake Overschmidt Scott Secrest Seigfreid

Sheldon 104 Troupe Wiggins

VACANCIES: 001

Representative Hosmer offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1051 & 1276, Page 15, Section 537.756, Line 14, by inserting immediately after said line the following:

3. The provisions of this act increasing the liability of the state and its public entities shall only be applied to those causes of action that accrue on or after the effective date of this act.

On motion of Representative Hosmer, House Amendment No. 3 was adopted.

On motion of Representative May (108), ***HS HCS HBs 1051 & 1276, as amended,*** *was adopted.*

On motion of Representative May (108), ***HS HCS HBs 1051 & 1276, as amended,*** *was ordered perfected and printed.*

HCS HB 1536*, relating to impaired drivers, was taken up by Representative Lakin.*

Representative Lakin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1536, Page 2, Section 302.291.4, Line 39, by inserting after the word "diagnosed" the words "or assessed".

Further amend House Committee Substitute for House Bill No. 1536, Page 2, Section 302.291, Line 40, by inserting after the word "diagnosis" the words "or assessment".

Speaker Pro Tem Kreider resumed the Chair.

On motion of Representative Lakin, House Amendment No. 1 was adopted.

Representative Smith offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1536, Page 4, Section 302.292, Line 14, by inserting immediately after said line the following:

*"**Section 1. 1. The director of the department of revenue shall not issue any driver's license pursuant to chapter 302, RSMo, to any person not previously issued a license unless the person has submitted, to the satisfaction of the director, proof of such person's legal presence in the United States and permanent residence in Missouri. The required proof shall be in a form pursuant to regulations adopted by the director which shall be consistent with rules and regulations promulgated by the United States Department of Transportation pursuant to public law 104-208.***

2. The director may issue a temporary driver's license, pursuant to regulations adopted by the director, valid for sixty days, provided there is no other cause for refusal, pending any verification the director determines necessary of documents which were submitted as proof of legal presence in the United States pursuant to subsection 1 of this section.

3. The director shall not renew, and shall revoke, the driver's license or driving privileges of any person for whom the director has received notice from the United States Immigration and Naturalization Service that the person has been determined to be a deportable alien.

4. A revocation pursuant to subsection 3 of this section shall become effective thirty days after a revocation notice is mailed to the person whose license is revoked. The person may request a hearing of the intended revocation prior to the effective date of such revocation. The hearing shall be held by telephone and conducted on the record in accordance with chapter 536, RSMo. The sole issue at the hearing shall be whether the person has been determined to be a deportable alien by the United States Immigration and Naturalization Service. Any person who has exhausted all administrative remedies provided by law and who is aggrieved by final decision shall be entitled to judicial review as provided in chapter 536, RSMo. Proceedings for review may be instituted by filing a petition in the circuit court of Cole County within thirty days after the mailing or delivery of the notice of the final decision.

5. The director shall promulgate rules and regulations for the administration of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

Section 2. The director of the department of revenue, unless otherwise specifically prohibited by law, shall cooperate with the United States Immigration and Naturalization Service and provide assistance and information during investigations conducted by the Service.

***Section 3. The director of the division of employment security of the department of labor and industrial relations shall establish and maintain a program which will allow any person to call a toll free telephone number provided by the program, hereinafter called a "hotline", and report or make inquiries regarding the presence or hiring of an illegal immigrant. The director shall provide staff to answer the hotline twenty-four hours a day, seven days a week. Unless otherwise ordered by a court of competent jurisdiction, any person using the hotline shall remain anonymous and any information or inquiry received because of the hotline shall be confidential, however the director shall be authorized to refer any information or inquiry received because of the hotline to an appropriate state or federal agency.**";* *and*

Further amend said title and enacting clause accordingly.

Representative Smith moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 012

Bauer Davis 63 Graham 24 Hagan-Harrell Holand

Kreider Murphy Ransdall Relford Smith

Wiggins Williams 159

NOES: 122

Akin Alter Auer Backer Ballard

Barnett Bartelsmeyer Bartlett Bennett Berkstresser

Bland Boatright Bonner Boucher Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Daniel 42

Daniels 41 Davis 122 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Ford Foster

Fritts Froelker Gaston Gibbons Graham 106

Gratz Gross Gunn Hall Hartzler 123

Hartzler 124 Hegeman Hendrickson Hilgemann Hohulin

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kissell Klindt Lakin

Lawson Legan Levin Linton Lograsso

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Parker Patek Pouche

Pryor Purgason Reinhart Reynolds Richardson

Rizzo Robirds Ross Sallee Schilling

Schwab Shear Shelton 57 Shields Skaggs

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Van Zandt Vogel Wannenmacher Williams 121 Wilson

Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 028

Barry 100 Bray 84 Copeland Crump Foley

Franklin Gaskill Green Griesheimer Harlan

Heckemeyer Hickey Hollingsworth Hoppe Kennedy

Koller Leake Liese Long Overschmidt

Ridgeway Scheve Scott Secrest Seigfreid

Sheldon 104 Treadway Troupe

VACANCIES: 001

Representative Ladd Stokan offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1536, Page 2, Section 302.291, Line 40, by inserting after the word "vehicle" the following:

*"**only after the following conditions have been met:***

(1) the reporting medical professional has attempted to persuade the patient to stop driving voluntarily; and

(2) the patient's family or guardian refuses to make the report to the department of revenue; and

***(3) the reporting medical professional notifies the patient in writing five days prior to sending the report to the department that the report is being made.**".*

Representative Lakin raised a point of order that House Amendment No. 3 amends previously amended material.

The Chair ruled the point of order not well taken.

***HCS HB 1536, as amended, with House Amendment No. 3 pending**, was laid over.*

RE-REFERRAL OF SENATE BILLS

The following Senate Bills were re-referred to the Committees indicated pursuant to Rule 48a.

***SB 470** - Civil and Administrative Law*

***SB 761** - Retirement*

***SB 854** - Professional Registration and Licensing*

COMMITTEE REPORTS

***Committee on Agriculture**, Chairman Leake reporting:*

*Mr. Speaker: Your Committee on Agriculture, to which was referred **SCS SBs 610 & 835**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.***

*Mr. Speaker: Your Committee on Agriculture, to which was referred **SB 897**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

*Mr. Speaker: Your Committee on Agriculture, to which was referred **SB 970**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.***

***Committee on Banks and Financial Institutions**, Chairman Copeland reporting:*

*Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SB 719**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

***Committee on Civil and Administrative Law**, Chairman Smith reporting:*

*Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 470**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

*Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 631**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

*Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 786**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.***

*Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 819**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

*Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 844**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.***

*Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 900**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

***Committee on Correctional and State Institutions**, Chairman Crump reporting:*

*Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 496**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

*Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1939**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

***Committee on Criminal Law**, Chairman Hosmer reporting:*

*Mr. Speaker: Your Committee on Criminal Law, to which was referred **SCS SB 634**, begs leave to report it has examined the same and recommends that it the **House Committee Substitute Do Pass by Consent.***

***Committee on Judiciary**, Chairman May (108) reporting:*

*Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 790**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

***Committee on Local Government and Related Matters**, Chairman Hoppe reporting:*

*Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 517**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

*Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 676**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.***

*Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 778**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.***

*Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 809**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.***

*Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 898**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.***

***Committee on Miscellaneous Bills and Resolutions**, Chairman Foley reporting:*

*Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 646**, begs leave to report it has examined the same and recommends that it **Do Pass.***

House Resolution No. 646

WHEREAS, the Missouri House of Representatives is delighted to suspend the work of creating laws in order to assist the members of Missouri's Silver Haired Legislature; and

WHEREAS, the Silver Haired Legislature consists of older Missourians who are elected by their peers to participate in an annual, state-wide work session in Jefferson City to determine and advocate for legislative priorities before the Missouri General Assembly; and

WHEREAS, the recommendations made by the Silver Haired Legislature have contributed to a better understanding of the merits and limitations of many popular proposals and have provided a meaningful opportunity for the elderly in Missouri to get involved in current issues of consequence:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, unanimously join in granting permission to the Silver Haired Legislature to use the House of Representatives Chambers and basement hearing rooms 1-5 for their 1998 session to be held on October 8 (9:00 a.m. to 4:30 p.m.) and October 9 (9:00 a.m. to 1:00 p.m.).

*Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SB 536**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

***Committee on Social Services, Medicaid and the Elderly**, Chairman Gunn reporting:*

*Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1327**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.***

*Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1337**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.***

*Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1467**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.***

House Committee Amendment No. 1

*AMEND House Bill No. 1467, Page 1, Section 1, Line 3, by deleting the word "**driver's**" and inserting in lieu thereof the words "**class E chauffeur's**"; and*

*Further amend said bill, Page 1, Section 1, Line 5, by inserting after the word "**for**" the phrase "**the level of services provided, such as**"; and*

*Further amend said bill, Page 1, Section 1, Line 7, by inserting after the word "**the**" the phrase "**the level of services provided, such as**".*

*Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1534**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.***

*Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SB 701**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

*Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SCS SB 793**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

*Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SB 941**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

*Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SB 963**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.***

***Committee on Tourism, Recreation and Cultural Affairs**, Chairman Overschmidt reporting:*

*Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SB 526**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.***

***Committee on Transportation**, Chairman Koller reporting:*

*Mr. Speaker: Your Committee on Transportation, to which was referred **SB 604**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

*Mr. Speaker: Your Committee on Transportation, to which was referred **SB 861**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

***Committee on Ways and Means**, Chairman Bray reporting:*

*Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 558**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.***

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

***HB 1947**, introduced by Representative Boucher, relating to income taxation.*

MESSAGES FROM THE SENATE

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 627**, entitled:*

An act to repeal sections 144.010 and 144.020, RSMo Supp. 1997, relating to utility taxation, and to enact in lieu thereof seven new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1480**, entitled:*

An act to repeal sections 59.220 and 109.221, RSMo Supp. 1997, relating to the use of local funds, and to enact

in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, April 16, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-third Day, Tuesday, April 14, 1998, pages 1017 and 1018, roll call, by showing Representative Summers voting "present" rather than "absent with leave".

Pages 1018 and 1019, roll call, by showing Representative Boatright voting "aye" rather than "absent with leave".

Pages 1019 and 1020, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1021 and 1022, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1023 and 1024, roll call, by showing Representatives Franklin, Hartzler (124) and Kennedy voting "aye" rather than "absent with leave".

Pages 1024 and 1025, roll call, by showing Representative Hartzler (124) voting "aye" rather than "absent with leave".

Pages 1025 and 1026, roll call, by showing Representative Hartzler (124) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

EDUCATION - HIGHER

Thursday, April 16, 1998, 9:45 am. Side gallery.

To be considered - Executive Session - SB 641

ENVIRONMENT AND ENERGY

Thursday, April 16, 1998, 8:30 am. Hearing Room 6. Continuation of

hearing held on 4-9-98. Executive session may follow.

To be considered - SB 541, SCR 31

JUDICIARY

Thursday, April 16, 1998. Hearing Room 6 upon adjournment.

To be considered - Executive Session - SB 614, Executive Session - SB 657

MUNICIPAL CORPORATIONS

Thursday, April 16, 1998. Hearing Room 7 upon morning adjournment.

To be considered - Executive Session - SB 629

STATE PARKS, NATURAL RESOURCES & MINING

Thursday, April 16, 1998, 9:30 am. Hearing Room 7. Executive session to follow.

To be considered - SB 848

HOUSE CALENDAR

Fifty-fifth Day, Thursday, April 16, 1998

HOUSE BILL FOR SECOND READING

HB 1947

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 35 - Parker

HOUSE BILLS FOR PERFECTION

1 HCS HB 964 - Barry

2 HCS HB 1536, as amended, HA 3, pending, - Lakin

3 HCS HB 1749 - Stokan

4 HCS HB 1643 - Monaco

5 HCS HB 1736 - Riback Wilson

6 HCS HB 1626 - Thomason (163)

7 HCS HB 1891 - Crump

8 HB 1782 - Kennedy

9 HCS HB 1488 - Williams (121)

10 HCS HB 1124 - Shear

11 HB 1796, HCA 1 - Harlan

12 HB 1380 - Kreider

13 HB 962 - Backer

14 HB 1202 - DeMarce

15 HCS HB 1138 - Leake

16 HCS HB 907 - Hosmer

17 HCS HB 1375 - May (108)

18 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

19 HB 958 - Liese

20 HCS HB 1153 - Backer

21 HCS HB 1534 - Graham (24)

22 HCS HB 1277 & 900 - Gunn

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310 - Dougherty

HCS HB 1674, HS, as amended, pending, - Rizzo

HOUSE BILL FOR PERFECTION - CONSENT

(April 9, 1998)

HB 1783 - Lakin

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 26 - Hosmer

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HB 1021 - Franklin

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1258, (Budget Fiscal 4-6-98) - Bland

3 HS HCS HB 1237, 1409, 1166, 1154 & 1491, (Budget Fiscal 4-8-98) - Luetkenhaus

4 HS HCS HB 1405, 1109 & 1335, (Budget Fiscal 4-9-98) - Smith

5 HS HCS HB 1317, (Budget Fiscal 4-14-98) - Fritts

6 HCS HB 1537, (Budget Fiscal 4-14-98) - Troupe

7 HB 1126, (Budget Fiscal 4-13-98) - Thomason (163)

8 HB 1564, (Budget Fiscal 4-13-98) - Relford

9 HB 1381, E.C. - Fritts

10 HCS HB 1684, (Budget Fiscal 4-15-98) - Hollingsworth

11 HCS HB 998 - Kissell

12 HCS HB 1737 & 1345 - Riback Wilson

13 HS HB 976 - Bauer

14 HB 1302 - Bland

15 HS HCS HB 1051 & 1276 - May (108)

HOUSE BILL FOR THIRD READING - INFORMAL

HB 1610, - DeMarce - (CONSENT)

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HB 1822, E.C.(Budget Fiscal 4-15-98) - Kelly (27)

HB 1836 - Dougherty

HB 1489 - Dougherty

SENATE BILL FOR SECOND READING

SS SCS SB 627

SENATE BILLS FOR THIRD READING - CONSENT

(April 9, 1998)

1 SB 764 - Hollingsworth

2 SB 658, E.C. - Stoll

3 HCS SB 535 - Bray

4 SCS SB 820, E.C. - Luetkenhaus

5 SCS SB 684 - Smith

6 SB 537 - May (108)

7 SB 488, E.C. - Stoll

8 SB 918 - Schilling

9 SB 626, HCA 1 - Leake

10 SB 928 - Chrismer

11 HCS SB 842 - Crump

12 HCS SB 579 - Pryor

13 SB 695 - Kasten

14 SB 553, HCA 1 - Stoll

(April 13, 1998)

15 SB 597 - Lawson

16 HCS SB 841 - Hagan-Harrell

17 HCS SCS SB 732 - O'Connor

18 SB 580 - Hoppe

19 SB 832 - Hoppe

20 HCS SB 917 - Hoppe

21 HCS SB 479 - Hoppe

22 HCS SB 550 - Hoppe

23 SB 733, HCA 1 - Stoll

24 SB 642 - Murray

25 SCS SB 652 - Robirds

26 SB 766, E.C. - Hosmer

27 SB 720 - Thompson (72)

28 SB 961 - Dougherty

(April 15, 1998)

29 SB 870 -

30 SCS SB 649 - Luetkenhaus

31 SB 828 -

32 SB 829 -

33 SB 551 - Cooper

34 HCS SB 839 -

35 SB 884 - Gratz

36 SB 940 - Stoll

37 HCS SB 739 - Stoll

(April 16, 1998)

38 HCS SB 786 - Monaco

39 SCS SB 470 - Smith

40 SB 701 -

41 SB 861 - Leake

42 SB 719 -

43 SB 819 - Hoppe

44 SB 631 - Smith

45 SB 793 -

46 HCS SB 809 -

47 HCS SB 676 -

48 SB 900 - Smith

49 SCS HB 778 -

50 SB 517 -

51 HCS SB 898 -

52 SCS SB 496 -

53 HCS SB 844, E.C. - May (108)

54 SCS SB 604 - Scott

55 HCS SB 963 - Gunn

56 SB 558 -

57 HCS SB 526 - Berkstresser

58 SCS SB 536 - Williams (121)

59 HCS SCS SB 610 & 835 - Gaskill

60 HCS SB 970 - Leake

61 SCS SB 897 - Leake

62 SB 941 -

63 HCS SCS SB 634, E.C. - Hosmer

64 SCS SB 790 -

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

COURTESY RESOLUTIONS

HR 756, through HR 758 - Williams (121)

HR 759 - Luetkenhaus

HR 760 - McLuckie

HR 761 - Hosmer

HR 762 - Boucher

HR 763 - Barry

HR 764 - Hosmer

HR 765 - Kreider

HR 766 - Ross

HR 767 - Gross

HR 768 - Linton

HR 769 - Froelker

HR 770 - Cooper

HR 771 - Bray

HR 772 - Steen

HR 773 - Bland

HR 774 - Days

HR 775 - Carter

HR 776 - Secrest

HR 777 - Williams (121)

HR 778 - Scott

HR 779 - Kissell

HR 780 - Shields

HR 781 - Graham (106)

HR 782 - Smith

HR 783 - DeMarce

HR 784 - Hollingsworth

HR 785 - Ransdall

HR 786 - Murphy

HR 787 - Kasten

HR 788 - Hickey

HR 789 - Sallee

HR 790 - Froelker

HR 791, and HR 792 - Legan

HR 793, through HR 806 - Alter

HR 807 - Graham (24)

HR 808 - Nordwald

HR 809 - Secrest

HR 810 - Ransdall

HR 811 - Barnett

HR 812 - Schwab

HR 813 - Elliott

HR 814 - Vogel

HR 815, through HR 828 - Murphy

HR 829, through HR 870 - Enz

HR 871 - Shear

HR 872 - Donovan

HR 873, and HR 874 - Stroker

HR 875 - Gibbons

HR 876 - Vogel

HR 877 - Surface

HR 878 - Riback Wilson

HR 879 - Heckemeyer

HR 880 - Crawford

HR 881 - Boucher

HR 882 - Ballard

HR 883, and HR 884 - Gaw

HR 886 - Steen

HR 887, through HR 890 - Boatright

HR 891 - Williams (121)

HR 892 - Copeland

HR 893 - DeMarce



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House Journal

Second Regular Session, 89th General Assembly

FIFTY-FIFTH DAY, Thursday, April 16, 1998

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"A good tree cannot bear bad fruit, nor can a bad tree bear good fruit." (Matthew 7:18)

The President had another in his series of town hall meetings on race relations this week. Racial dis-unity is a poison destroying the soul of this nation. It is also a bad fruit affecting so much else in the orchard - the economy, family life, the resources being used for welfare, crime and punishment are drained from other needs.

Gracious God, heal us of this evil. Pluck this bad fruit, this poisoned tree from Your orchard where we are pledged to "justice for all". Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Adriana Hernandez, Tina Ciapciak, Ann Notestine, Alexandra Kister, Adam Arni, Danielle Hart, Ashton Bryson, Tony Fisher, Annemarie Heise, Rachael Schaffner, Kenyon Klousia, Brendon Zee Cheng, Amna Abdallah, Alicia Brown, Kayliegh Kirkland, Katie Lemonds, Ericka Russell, Kyle Burnett, Sean McLafferty, Jamie Lee, Michael Brasher, Amelia Becker, Chris Merrill, Chris Pershall, Gracie Shocklee, Nick Dreyer, Harmony Watson, Paul Dillon, Alex Luebbert, Martin Toft, Marissa Rockwell, Erica Marshall, Jeff Potzman, Adam Hill, Caleb Lawrence, Chris Barnhart, Meghan Stanislaus, Jonathan Howerton, Dohnavan Woods, Stacy Shaw, Johnathan Woods, William Hyde, Katie Lindley, Lauren Williams, Stephanie Hanes, Amber Wilmes, James Ciak, Terry Bennett, Wilford Barrett, Kalif Barnes, Krystol Roberson and Mykol Williamson.

The Journal of the fifty-fourth day was approved as corrected.

RESOLUTIONS

Representative Murphy offered House Resolution No. 935, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Alter offered House Resolution No. 936, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution No. 937, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gibbons offered House Resolution No. 938, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hall offered House Resolution No. 939, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Evans and Secrest offered House Resolution No. 940, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Donovan offered House Resolution No. 941, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Burton offered House Resolution No. 942 and House Resolution No. 943, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reinhart offered House Resolution No. 944, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution No. 756 through House Resolution No. 884 and House Resolution No. 886 through House Resolution No. 893 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution No. 756 through House Resolution No. 884 and House Resolution No. 886 through House Resolution No. 893 were adopted.

SECOND READING OF HOUSE BILL

HB 1947 was read the second time.

SECOND READING OF SENATE BILL

SS SCS SB 627 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 976, HCS HB 998, HB 1302, HB 1489, HCS HBs 1737 & 1345, HB 1381, HB 1822, HB 1836** and **HJR 26**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1783**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HBs 1405, 1109 & 1335 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HBs 1237, 1409, 1166, 1154 & 1491 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HBs 1051 & 1276 - Budget (Fiscal Note)

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 26, relating to forfeiture proceeds, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HJR 26** was read the third time and passed by the following vote:

AYES: 148

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foster Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hilgemann Hohulin

Holand Hollingsworth Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kennedy Kissell

Klindt Koller Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

McBride McClelland McLuckie Merideth Miller

Monaco Murray Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Secrest Seigfreid Shear Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 003

Auer Ford Hoppe

PRESENT: 000

ABSENT WITH LEAVE: 011

Foley Franklin Graham 24 Hickey Kelly 27

Kreider Mays 50 Murphy Naeger Scott

Sheldon 104

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Bauer moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS

HS HCS HBs 1405, 1109 & 1335, relating to civil commitment of sexual predators, was taken up by Representative Smith.

On motion of Representative Smith, **HS HCS HBs 1405, 1109 & 1335** was read the third time and passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kennedy Kissell Klindt

Koller Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Secrest Seigfreid Shear Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 009

Days Foley Hickey Kelly 27 Kreider

Murphy Naeger Scott Sheldon 104

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Auer moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

HB 1381, relating to internet voting, was taken up by Representative Fritts.

Representative Fritts moved that **HB 1381** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 080

Auer Backer Barry 100 Bartlett Bauer
Bland Bonner Boucher Bray 84 Campbell
Carter Clayton Copeland Crawford Crump
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dougherty Farnen Fitzwater Foley Franklin
Fritts Graham 24 Green Gunn Hagan-Harrell
Harlan Hartzler 123 Heckemeyer Hilgemann Hollingsworth
Hoppe Hosmer Johnson Kelly 27 Kennedy
Kissell Koller Lakin Lawson Leake
Liese Luetkenhaus May 108 Mays 50 McBride
McLuckie Merideth Monaco Murray O'Connor
O'Toole Ransdall Relford Reynolds Rizzo
Scheve Schilling Seigfreid Shear Shelton 57
Skaggs Smith Stokan Stoll Stroker
Thomason 163 Thompson 72 Treadway Troupe Van Zandt
Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 074

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Burton
Champion Chrismer Cierpiot Cooper Dolan
Donovan Edwards-Pavia Elliott Enz Evans
Foster Froelker Gaskill Gaston Gibbons
Graham 106 Gratz Griesheimer Gross Hall
Hartzler 124 Hegeman Hendrickson Hohulin Holand
Howerton Kasten Kauffman Kelley 47 Klindt

Legan Levin Linton Lograsso Long

Loudon Marble McClelland Miller Naeger

Nordwald Ostmann Parker Patek Pouche

Pryor Purgason Reinhart Richardson Ridgeway

Robirds Ross Sallee Schwab Secrest

Shields Steen Summers Surface Thompson 37

Townley Vogel Wannenmacher Wooten

PRESENT: 001

Ford

ABSENT WITH LEAVE: 007

Daniel 42 Hickey Kreider Murphy Overschmidt

Scott Sheldon 104

VACANCIES: 001

HCS HB 998, relating to tatoos and body piercing, was taken up by Representative Kissell.

On motion of Representative Kissell, **HCS HB 998** was read the third time and passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Franklin Fritts Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kauffman Kelley 47 Kennedy

Kissell Klindt Koller Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schwab Secrest Seigfreid Shear Shelton 57

Shields Skaggs Smith Stokan Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 004

Froelker Hohulin Schilling Steen

PRESENT: 000

ABSENT WITH LEAVE: 011

Dougherty Foster Hickey Kasten Kelly 27

Kreider Murphy Purgason Scott Sheldon 104

Stoll

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Green , title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

HCS HBs 1737 & 1345, relating to employee information, was taken up by Representative Riback Wilson.

On motion of Representative Riback Wilson, **HCS HBs 1737 & 1345** was read the third time and passed by the following vote:

AYES: 086

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Cierpiot Clayton Copeland Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Donovan Dougherty Farnen Fitzwater
Foley Ford Franklin Fritts Graham 24
Gunn Hagan-Harrell Harlan Heckemeyer Hilgemann
Hollingsworth Hoppe Hosmer Johnson Kauffman
Kelly 27 Kennedy Kissell Koller Lakin
Leake Liese Lograsso Luetkenhaus May 108
Mays 50 McBride McClelland McLuckie Monaco
Murray O'Connor O'Toole Overschmidt Parker
Pouche Ransdall Relford Reynolds Ross
Scheve Schilling Seigfreid Shear Shelton 57
Skaggs Smith Stokan Stoll Stroker
Thomason 163 Thompson 37 Thompson 72 Treadway Troupe
Van Zandt Wiggins Williams 121 Williams 159 Wilson
Mr. Speaker

NOES: 071

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Burton
Champion Chrismer Cooper Crawford Dolan
Edwards-Pavia Elliott Enz Evans Foster
Froelker Gaskill Gaston Gibbons Graham 106
Gratz Green Griesheimer Gross Hall
Hartzler 123 Hartzler 124 Hegeman Hendrickson Hohulin
Holand Howerton Kasten Kelley 47 Klindt
Lawson Legan Levin Linton Long
Loudon Marble Merideth Miller Naeger
Nordwald Ostmann Patek Pryor Purgason
Reinhart Richardson Ridgeway Rizzo Robirds
Sallee Schwab Secrest Shields Steen
Summers Surface Townley Vogel Wannenmacher
Wooten

PRESENT: 000

ABSENT WITH LEAVE: 005

Hickey Kreider Murphy Scott Sheldon 104

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Kelly (27), title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative Hilgemann moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS - FEDERAL MANDATE

HB 1836, relating to child support, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HB 1836** was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Griesheimer Gross Gunn Hagan-Harrell
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hohulin Holand Hollingsworth Hoppe
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Secrest Seigfreid Shear Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Green Hall Hickey Hilgemann Hosmer

Kreider Murphy Scott Sheldon 104

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Lakin, title to the bill was agreed to.

Representative Luetkenhaus moved that the vote by which the bill passed be reconsidered.

Representative Mays (50) moved that motion lay on the table.

The latter motion prevailed.

HB 1489, relating to lead abatement, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HB 1489** was read the third time and passed by the following vote:

AYES: 140

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hilgemann Holand Hoppe
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Lakin Lawson Leake Legan Levin
Liese Linton Long Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Sallee Scheve Schilling
Schwab Secrest Seigfreid Shear Shelton 57
Shields Skaggs Smith Stoll Stroker
Summers Surface Thomason 163 Thompson 72 Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 008

Ballard Boatright Hall Hohulin Loudon
Patek Steen Townley

PRESENT: 000

ABSENT WITH LEAVE: 014

Bauer Ford Hagan-Harrell Hickey Hollingsworth
Hosmer Kreider Lograsso Murphy Ross
Scott Sheldon 104 Stokan Thompson 37

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Monaco moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HB 1021, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin offered House Perfecting Amendment No. 1.

House Perfecting Amendment No. 1

AMEND House Bill No. 1021, Page 4, Section 21.057, Line 5, by inserting immediately after the words "an Act of the" the word "89th".

On motion of Representative Franklin, House Perfecting Amendment No. 1 was adopted.

On motion of Representative Franklin, **HB 1021, as amended,** was read the third time and passed by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Foster Franklin Fritts Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Lakin Lawson Leake Legan Levin

Liese Linton Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Seigfreid Shear Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 003

Hall Pryor Purgason

PRESENT: 000

ABSENT WITH LEAVE: 011

Ford Froelker Hickey Hoppe Kreider

Lograsso Murphy Scott Secrest Sheldon 104

Thompson 37

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Fritts moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL

HS HCS HBs 1237, 1409, 1166, 1154 & 1491, relating to workers compensation, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HS HCS HBs 1237, 1409, 1166, 1154 & 1491** was read the third time and passed by the following vote:

AYES: 145

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Foster
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hilgemann Hohulin Hollingsworth Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Lakin
Lawson Leake Legan Levin Liese
Linton Long Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murray Naeger O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Seigfreid Shear Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 72
Treadway Troupe Van Zandt Vogel Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 004

Loudon Secrest Townley Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 013

Chrismer Ford Franklin Hickey Holand
Hoppe Kreider Lograsso Murphy Nordwald
Scott Sheldon 104 Thompson 37

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Parker, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HCS HB 1536, as amended, with House Amendment No. 3, pending, relating to impaired drivers, was again taken up by Representative Lakin.

House Amendment No. 3 was withdrawn.

Representative Ladd Stokan offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1536, Page 2, Section 302.291, Line 40, by inserting after the word "vehicle" the following:

"**only after the following conditions have been met:**

(1) the reporting medical professional has attempted to persuade the patient to stop driving voluntarily; and

(2) the patient's family or guardian refuses to make the report to the department of revenue".

Representative Ladd Stokan moved that House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 032

Bland Bray 84 Broach Burton Champion

Cierpiot DeMarce Donovan Dougherty Franklin

Fritts Froelker Hagan-Harrell Hegeman Howerton

Johnson Kelley 47 Legan Linton Lograsso

Long Loudon Pryor Reinhart Ridgeway

Robirds Sallee Schilling Schwab Shields

Stokan Troupe

NOES: 108

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Boatright Bonner Campbell Carter Chrismer

Clayton Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Days Dolan

Elliott Enz Evans Farnen Fitzwater

Foley Foster Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hall Hartzler 123 Hartzler 124

Heckemeyer Hendrickson Hohulin Holand Hollingsworth

Hoppe Kasten Kauffman Kelly 27 Kennedy

Kissell Klindt Koller Lakin Lawson

Levin Liese Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor Ostmann Overschmidt Parker Patek

Purgason Ransdall Relford Reynolds Rizzo

Ross Scheve Secrest Seigfreid Shelton 57

Skaggs Smith Steen Stoll Stroker

Summers Surface Thomason 163 Thompson 72 Townley

Treadway Van Zandt Vogel Wannenmacher Williams 121

Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 022

Auer Bennett Boucher Davis 63 Edwards-Pavia

Ford Harlan Hickey Hilgemann Hosmer

Kreider Leake Murphy O'Toole Pouche

Richardson Scott Shear Sheldon 104 Thompson 37

Wiggins Wooten

VACANCIES: 001

Representative Lograsso offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1536, Page 3, Section 302.292, Lines 1-10 by striking all of said lines and inserting in lieu thereof the following:

"**1. The director of the department of revenue may consult with the director of the division of aging of the department of social services to obtain advice regarding medical criteria and to examine, review and make recommendations regarding individual driver licensing cases involving medical impairment. The director of aging may consult with an existing medical advisory board within the department of social services.**".

On motion of Representative Lograsso, House Amendment No. 4 was adopted.

Representative Townley offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1536, Page 1, Section 302.291, Line 1, by inserting before all of said line the following:

"302.130. 1. Any person at least fifteen and one-half years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a temporary instruction permit entitling the applicant, while having such permit in the applicant's immediate possession, to drive a motor vehicle of the appropriate class upon the highways for a period of six months, but any such person, except when operating a motorcycle or motortricycle, must be accompanied by a licensed operator for the type of motor vehicle being operated who is actually occupying a seat beside the driver for the purpose of giving instruction in driving the motor vehicle, and in the case of any driver under sixteen years of age, the licensed operator occupying the seat beside the driver shall be a grandparent, parent or guardian who has a valid driver's license.

2. In the event the parent, grandparent or guardian of the person under sixteen years of age has a physical disability which prohibits or disqualifies said parent, grandparent or guardian from being a qualified licensed operator pursuant to this section, said parent, grandparent or guardian may designate a maximum of two individuals authorized to accompany the applicant for the purpose of giving instruction in driving the motor vehicle. An authorized designee must be a licensed operator for the type of motor vehicle being operated and have attained twenty-one years of age. At least one of the designees must occupy the seat beside the applicant while giving instruction in driving the motor vehicle. The name of the authorized designees must be provided to the department of revenue by the parent, grandparent or guardian at the time of application for the temporary instruction permit. The name of each authorized designee shall be printed on the temporary instruction permit, however, the director may delay the time at which permits are printed bearing such names until the inventories of blank permits and related forms existing on the effective date of this act are exhausted.

[2.**] 3.** The director, upon proper application on a form prescribed by the director, in his or her discretion, may issue a restricted instruction permit effective for a school year or more restricted period to an applicant who is enrolled in a high school driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education even though the applicant has not reached the age of sixteen years but has passed the age of fifteen years. Such instruction permit shall entitle the applicant, when the applicant has such permit in his or her immediate possession, to operate a motor vehicle on the highways, but only when a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education is occupying a seat beside the driver.

[3.**] 4.** The director, in his or her discretion, may issue a temporary driver's permit to an applicant who is otherwise qualified for a license permitting the applicant to operate a motor vehicle while the director is completing the director's investigation and determination of all facts relative to such applicant's rights to receive a license. Such permit must be in the applicant's immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's license has been issued or for good cause has been refused.

5. The director may adopt rules and regulations necessary to carry out the provisions of this section."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Townley, House Amendment No. 5 was adopted.

Representative Merideth offered House Amendment No. 6.

House Amendment No. 6

*AMEND House Committee Substitute for House Bill No. 1536, Page 2, Section 302.291, Line 25, by deleting lines 25 and 26, and at line 33, by deleting the words "**No individual described**" and by deleting all of lines 34 and 35.*

Representative Merideth moved that House Amendment No. 6 be adopted.

Which motion was defeated.

*On motion of Representative Lakin, **HCS HB 1536, as amended,** was adopted.*

On motion of Representative Lakin, ***HCS HB 1536, as amended,*** *was ordered perfected and printed.*

HCS HB 964*, relating to health insurance, was taken up by Representative Barry.*

Representative Naeger offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 964, Section 1., Line 14, by adding after assistant, ***licensed practical nurse certified surgical technologist.***

Further amend said bill, Section 2., Line 6, by inserting immediately after all said line following:

*"****Section 2. 2. As used in this section licensed practical nurse certified surgical technologist means any person licensed in this state as a licensed practical nurse and who:***

(1) Is certified by a nationally recognized professional organization for certified surgical technologist.*"*

Representative Naeger moved that House Amendment No. 1 be adopted.

Which motion was defeated.

Representative Elliott offered House Amendment No. 2.

Representative Auer raised a point of order that House Amendment No. 2 is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Barry, ***HCS HB 964*** *was adopted.*

On motion of Representative Barry, ***HCS HB 964*** *was ordered perfected and printed.*

PERFECTION OF HOUSE BILL - INFORMAL

HCS HBs 972 & 1310*, relating to domestic relations, was taken up by Representative Dougherty.*

Representative Dougherty offered ***HS HCS HBs 972 & 1310****.*

Representative Dougherty offered House Amendment No. 1.

House Amendment No. 1

*AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 and 1310, Page 6, Section 452.302, Line 19 of said page, by deleting the word "****final****"; and*

*Further amend said bill, Page 10, Section 452.310, Line 16 of said page, by deleting the word "****legal****"; and*

*Further amend said bill, Page 34, Section 452.340, Line 13 of said page, by deleting the words "****any order in*** *modifications" and inserting in lieu thereof the words "[modifications]* ***any order in modification****"; and*

*Further amend said bill, Page 45, Section 452.372, Line 6 of said page, by deleting the word "****that****" and inserting in lieu thereof the word "****who****".*

On motion of Representative Dougherty, House Amendment No. 1 was adopted.

Representative Dougherty offered House Amendment No. 2.

House Amendment No. 2

*AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 and 1310, Page 6, Section 452.305, Line 15 of said page, by deleting the words "**join for**" and inserting in lieu thereof the words "**joint or**".*

On motion of Representative Dougherty, House Amendment No. 2 was adopted.

Representative Hall offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill Nos. 972 & 1310, Page 60, Line 7, by adding a new section 15 as follows:

"15. When a minor child is removed from the family residence and/or parental custody and placed in the custody of the Division of Family Services or any other Missouri state agency, the parent or guardian of such child shall have an absolute right to a jury trial to determine the custody, such trial to be hold within thirty (30) days of the removal of the child from the family residence. No trial continuances shall be granted to any party of such action. The State of Missouri shall pay attorney's fees to a prevailing parent or guardian in such action".

Representative Hall moved that House Amendment No. 3 be adopted.

Which motion was defeated.

Representative Green offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 and 1310, Page 1, In the Title, Line 10 of said page, by deleting the word "thirty-nine" and inserting in lieu thereof the word "forty"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by deleting the word "thirty-nine" and inserting in lieu thereof the word "forty"; and

Further amend said bill, Page 2, Section A, Line 5 of said page, by deleting the word and figure "and 6" and inserting in lieu thereof the word and figures ", 6 and 7"; and

Further amend said bill, Page 95, Section 6, Line 9 of said page, by inserting after all of said line the following:

*"**Section 7. Any court order for the legal custody of or parenting time with a child, or for visitation with a child for orders entered before January 1, 1999, may include a provision that the sheriff or other law enforcement officer shall enforce the rights of either parent to custody, parenting time or visitation, as the case may be, unless the court issues a subsequent order pursuant to this chapter, chapter 210, RSMo, chapter 211, RSMo, or chapter 455, RSMo, to limit or deny either parent's access to the child. Such sheriff or law enforcement officer shall not remove a child from a person who has actual possession of the child unless such sheriff or officer is shown an official legal document which verifies that such person is not entitled to the actual possession of the child.**".*

Representative Monaco offered House Substitute Amendment No. 1 for House Amendment No. 4.

House Substitute Amendment No. 1

for

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 and 1310, Page 1, In the Title, Line 10 of said page, by deleting the word "thirty-nine" and inserting in lieu thereof the word "forty"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by deleting the word "thirty-nine" and inserting in lieu thereof the word "forty"; and

Further amend said bill, Page 2, Section A, Line 5 of said page, by deleting the word and figure "and 6" and inserting in lieu thereof the word and figures ", 6 and 7"; and

Further amend said bill, Page 95, Section 6, Line 9 of said page, by inserting after all of said line the following:

*"**Section 7. Any court order for the legal custody of or parenting time with a child, or for visitation with a child for orders entered before January 1, 1999, may include a provision that the sheriff or other law enforcement officer shall enforce the rights of either parent to custody, parenting time or visitation, as the case may be, unless the court issues a subsequent order pursuant to this chapter, chapter 210, RSMo, chapter 211, RSMo, or chapter 455, RSMo, to limit or deny either parent's access to the child. Such sheriff or law enforcement officer shall not remove a child from a person who has actual possession of the child unless such sheriff or officer is shown a court order or judgment which verifies that such person is not entitled to the actual possession of the child.**".*

***HCS HBs 972 & 1310, with House Substitute Amendment No. 1 for House Amendment No. 4, House Amendment No. 4 and HS, as amended, pending**, was laid over.*

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1947 - Ways and Means

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 627 - Utilities Regulation

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred SCS SJR 24, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred SB 555, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred SB 908, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Commerce, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred SB 787, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Commerce, to which was referred SB 827, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Commerce, to which was referred SB 927, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Correctional and State Institutions, Chairman Crump reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred SCS SB 921, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred SCS SB 532, 806 & 633, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Criminal Law, to which was referred SB 673, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Governmental Organization and Review, Chairman Murray reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred SCS SB 571, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred SB 925, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Motor Vehicle and Traffic Regulations, Chairman Thomason (163) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred SS SB 518, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred SB 619, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred SB 683, begs leave to report it has examined the same and recommends that it Do Pass by Consent.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred SB 650, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred SB 854, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred SB 894, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred HB 1922, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Transportation, to which was referred SB 883, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Urban Affairs, Chairman Thompson (37) reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred SB 473, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred SCS SB 561, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 561, Page 1, Section 393.300, Line 1, by inserting after the word "telephone" the word "cable,"; and

Further amend said section, lines 3-4, by deleting all of said lines and inserting in lieu thereof the following:

"provider, provide the customer's bills in whichever one of the following formats that the customer chooses: braille, at least twenty-four point bold-faced type print, or audio format. The provision of said bill in an alternative format shall be provided at no additional cost to the customer.".

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred SS SCS SBs 675, 483, 490 & 564, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Ways and Means, to which was referred SS SB 724, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Workers Compensation and Employment Security, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred SCS SB 922, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted SCS SCR 37, entitled:

Senate Committee Substitute

For

Senate Concurrent Resolution No. 37

WHEREAS, the elderly population in the state is growing at a significant and unprecedented rate; and

WHEREAS, the increasing elderly population in the state will place unprecedented demands upon the state's health delivery system; and

WHEREAS, the federal government's approach to state mandates and entitlements regarding medicare and medicaid funding for the elderly is changing; and

WHEREAS, the health care industry has evolved into a new era of managed care, provider networks, home health care, and alternative methods for the delivery of services; and

WHEREAS, the elderly expect that their needs will be provided in an environment that allows greater flexibility through a "continuum of care"; and

WHEREAS, elderly citizens could benefit from "one stop shopping" where they can receive the required government assistance through a single government office; and

WHEREAS, an in-depth study and evaluation must be made of the alternatives and strategies available for the delivery of services to the growing elderly population in Missouri;

NOW THEREFORE BE IT RESOLVED that the members of the Senate, Eighty-ninth General Assembly, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on Aging" to be composed of ten members. The members shall consist of five state senators appointed by the President pro tem of the Senate representing each political party, and five representatives appointed by the Speaker of the House of Representatives, with no more than three from each house being members of the same political party; and

BE IT FURTHER RESOLVED that the President pro tem of the Senate and the Speaker of the House of Representatives shall appoint the members of the committee by June 1, 1998, and such committee shall meet within ten days of its establishment and organize by selecting a chairman and vice-chairman, one of whom shall be a member of the Senate and the other a member of the House of Representatives; and

BE IT FURTHER RESOLVED that the committee may solicit any input and information necessary to fulfill its obligations from the Department of Social Services and representatives of citizen groups formed to address issues regarding Missouri's elderly population; and

BE IT FURTHER RESOLVED that the Governor's Advisory Council on Aging supports the concept of an interim committee on aging as established by the General Assembly, and furthermore, the Council agrees to be available to advise and assist the Joint Interim Committee on Aging with this initiative however possible, and shall be prepared to provide representation on the committee; and

BE IT FURTHER RESOLVED that the committee shall make an in-depth study and evaluation of the alternatives and strategies for the delivery of state services to the growing aging population in Missouri; and

BE IT FURTHER RESOLVED that the committee shall prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the Governor and General Assembly by January 5, 1999, and then shall be dissolved; and

BE IT FURTHER RESOLVED that the expenses of committee members and legislative staff, the actual and necessary expenses of the committee, and the costs of any outside consultants necessary for the committee to complete its study shall be paid from the Joint Contingent Fund, subject to prior approval by the Senate Committee on Administration; and

BE IT FURTHER RESOLVED that the staff of Senate Research and House Research and the Committee on Legislative Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution to be delivered to the Governor and the Director of the Department of Social Services.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 9:00 a.m., Friday, April 17, 1998.

CORRECTIONS TO HOUSE JOURNAL

Correct House Journal, Fifty-fourth Day, Wednesday, April 15, 1998, page 1043, roll call, by showing Representatives Bennett (15), Chrismer and Seigfreid voting "no" rather than "absent with leave'.

Page 1049, roll call, by showing Representatives Davis (63), Donovan and Hagan-Harrell voting "aye" rather than "absent with leave".

Page 1049, roll call, by showing representatives Crawford and Purgason voting "no" rather than "absent with leave".

Pages 1056 and 1057, roll call, by showing Representative Donovan voting "no" rather than "absent with leave".

Pages 1057 and 1058, roll call, by showing Representative Bray voting "no" rather than "absent with leave".

Pages 1057 and 1058, roll call, by showing Representative Bray (15) voting "aye" rather than "absent with leave".

Page 1058 and 1059, roll call, by showing Representative Seigfreid voting "no" rather than "absent with leave".

Page 1061, roll call, by showing Representatives Bray, Franklin, Hoppe and Seigfreid voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, April 21, 1998. Side gallery upon morning adjournment. Executive session.

BUDGET

Tuesday, April 21, 1998, 8:30 am. Hearing Room 9. Executive session on bills in budget.

To be considered - HB 1564, HB 1126, HB 1317

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 21, 1998. Hearing Room 8 upon morning adjournment.

To be considered - SB 780, Executive Session - SB 781

ENVIRONMENT AND ENERGY

Monday, April 20, 1998. Hearing Room 6 upon afternoon adjournment.

CORRECTED Executive session.

To be considered - SB 541

INSURANCE

Tuesday, April 21, 1998, 9:00 am. Hearing Room 8. Executive session will follow.

To be considered - HCR 23, SB 722

JUDICIARY

Tuesday, April 21, 1998. Hearing Room 5 upon morning adjournment.

Executive session may follow.

To be considered - SB 680, SB 589

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 21, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session.

WAYS AND MEANS

Tuesday, April 21, 1998, 1:00 pm. Hearing Room 6. Executive session may follow.

To be considered - SB 936, SB 849, SB 524

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, April 20, 1998, 8:00 pm. Hearing Room 5.

To be considered - SB 584

HOUSE CALENDAR

Fifty-sixth Day, Friday, April 17, 1998

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 35 - Parker

HOUSE BILLS FOR PERFECTION

1 HCS HB 1749 - Stokan

2 HCS HB 1643 - Monaco

3 HCS HB 1736 - Riback Wilson

4 HCS HB 1626 - Thomason (163)

5 HCS HB 1891 - Crump

6 HB 1782 - Kennedy

7 HCS HB 1488 - Williams (121)

8 HCS HB 1124 - Shear

9 HB 1796, HCA 1 - Harlan

10 HB 1380 - Kreider

11 HB 962 - Backer

12 HB 1202 - Bartlett

13 HCS HB 1138 - Leake

14 HCS HB 907 - Hosmer

15 HCS HB 1375 - May (108)

16 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

17 HB 958 - Liese

18 HCS HB 1153 - Backer

19 HCS HB 1534 - Graham (24)

20 HCS HB 1277 & 900 - Gunn

21 HCS HB 924 - McLuckie

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310, HSA4 for HA4, HA4, HS, a.a., pending - Dougherty

HCS HB 1674, HS, as amended, pending, - Rizzo

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1258, (Budget Fiscal 4-6-98) - Bland

3 HS HCS HB 1317, (Budget Fiscal 4-14-98) - Fritts

4 HCS HB 1537, (Budget Fiscal 4-14-98) - Troupe

5 HB 1126, (Budget Fiscal 4-13-98) - Thomason (163)

6 HB 1564, (Budget Fiscal 4-13-98) - Relford

7 HCS HB 1684, (Budget Fiscal 4-15-98) - Hollingsworth

8 HS HB 976 - Bauer

9 HB 1302 - Bland

10 HS HCS HB 1051 & 1276, (Budget Fiscal 4-16-98) - May (108)

HOUSE BILL FOR THIRD READING - INFORMAL

HB 1610, - DeMarce - (CONSENT)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HB 1822, E.C.(Budget Fiscal 4-15-98) - Kelly (27)

HOUSE BILL FOR THIRD READING - CONSENT

HB 1783 - Lakin

SENATE BILLS FOR THIRD READING - CONSENT

1 SB 764 - Hollingsworth

2 SB 658, E.C. - Stoll

3 HCS SB 535 - Bray

4 SCS SB 820, E.C. - Luetkenhaus

5 SCS SB 684 - Smith

6 SB 537 - May (108)

7 SB 488, E.C. - Days

8 SB 918 - Schilling

9 SB 626, HCA 1 - Leake

10 SB 928 - Chrismer

11 HCS SB 842 - Crump

12 HCS SB 579 - Pryor

13 SB 695 - Kasten

14 SB 553, HCA 1 - Stoll

(April 13, 1998)

15 SB 597 - Lawson

16 HCS SB 841 - Hagan-Harrell

17 HCS SCS SB 732 - O'Connor

18 SB 580 - Hoppe

19 SB 832 - Hoppe

20 HCS SB 917 - Hoppe

21 HCS SB 479 - Hoppe

22 HCS SB 550 - Hoppe

23 SB 733, HCA 1 - Stoll

24 SB 642 - Murray

25 SCS SB 652 - Robirds

26 SB 766, E.C. - Hosmer

27 SB 720 - Thompson (72)

28 SB 961 - Dougherty

(April 15, 1998)

29 SB 870 -

30 SCS SB 649 - Luetkenhaus

31 SB 828 -

32 SB 829 -

33 SB 551 - Cooper

34 HCS SB 839 -

35 SB 884 - Gratz

36 SB 940 - Stoll

37 HCS SB 739 - Stoll

(April 16, 1998)

38 HCS SB 786 - Monaco

39 SCS SB 470 - Smith

40 SB 701 -

41 SB 861 - Leake

42 SB 719 -

43 SB 819 - Hoppe

44 SB 631 - Smith

45 SB 793 -

46 HCS SB 809 -

47 HCS SB 676 -

48 SB 900 - Smith

49 HCS SB 778 -

50 SB 517 -

51 HCS SB 898 -

52 SCS SB 496 - McClelland

53 HCS SB 844, E.C. - May (108)

54 SCS SB 604 - Scott

55 HCS SB 963 - Gunn

56 SB 558 -

57 HCS SB 526 - Berkstresser

58 SCS SB 536 - Williams (121)

59 HCS SCS SB 610 & 835 - Gaskill

60 HCS SB 970 - Leake

61 SCS SB 897 - Leake

62 SB 941 -

63 HCS SCS SB 634, E.C. - Hosmer

64 SCS SB 790 -

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 1480 - DeMarce

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford


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House Journal

Second Regular Session, 89th General Assembly

FIFTY-SIXTH DAY, Friday, April 17, 1998

The House met pursuant to adjournment.

Representative Gratz in the Chair.

There was a moment of silent prayer

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1051 & 1276**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **SS#2 SCS SB 632**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment Nos. 1 & 2.**

House Committee Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, Page 1, Section A, Line 1, by inserting immediately after "RSMo" a comma ","; and

Further amend said bill, Page 2, Section 208.183, Line 28, by striking the words "**eighty five**" and inserting in lieu thereof the word "**eighty-six**"; and further amend said line, by striking the words "**twenty five**" and inserting in lieu thereof the word "**twenty-six**"; and

Further amend said bill, Page 2, Section 208.183, Line 30, by striking the words "**twenty five**" and inserting in lieu thereof the word "**twenty-six**"; and

Further amend said bill, Page 2, Section 208.183, Line 35, by striking the word "**fifty**" and inserting in lieu thereof the word "**fifty-one**"; and further amend said line, by striking the words "**seventy five**" and inserting in lieu thereof the following: "**seventy-six**"; and

Further amend said bill, Page 2, Section 208.183, Line 40, by striking the words "**seventy five**" and inserting in lieu thereof the following: "**seventy-six**".

House Committee Amendment No. 2

AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, Page 2, Section 208.183, Lines 50 and 51, by deleting all of said lines and inserting in lieu thereof the following: "**rules may provide for a health care services package that includes all medical services covered by section 208.152, except nonemergency transportation.**".

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **SB 674**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **SB 756**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SBs 614, 696, 906, 530, 912 & 914**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SB 657**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SCS SB 501**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Retirement, to which was referred **SB 761**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

ADJOURNMENT

On motion of Representative Gratz, the House adjourned until 2:00 p.m., Monday, April 20, 1998.

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, April 21, 1998. Side gallery upon morning adjournment. Executive session.

BUDGET

Tuesday, April 21, 1998, 8:30 am. Hearing Room 9. Executive session on bills in budget.

To be considered - HB 1564, HB 1126, HB 1317

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 21, 1998. Hearing Room 8 upon morning adjournment.

To be considered - SB 780, Executive Session - SB 781

ENVIRONMENT AND ENERGY

Monday, April 20, 1998. Hearing Room 6 upon afternoon adjournment

CORRECTED Executive session.

To be considered - SB 541

INSURANCE

Tuesday, April 21, 1998, 9:00 am. Hearing Room 8. Executive session will follow.

To be considered - HCR 23, SB 722

JUDICIARY

Tuesday, April 21, 1998. Hearing Room 5 upon morning adjournment.

Executive session may follow.

To be considered - SB 680, SB 589

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 21, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 21, 1998, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 498

WAYS AND MEANS

Tuesday, April 21, 1998, 1:00 pm. Hearing Room 6. Executive session may follow.

To be considered - SB 936, SB 849, SB 524

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, April 20, 1998, 8:00 pm. Hearing Room 5.

To be considered - SB 584

HOUSE CALENDAR

Fifty-seventh Day, Monday, April 20, 1998

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 35 - Parker

HOUSE BILLS FOR PERFECTION

1 HCS HB 1749 - Stokan

2 HCS HB 1643 - Monaco

3 HCS HB 1736 - Riback Wilson

4 HCS HB 1626 - Thomason (163)

5 HCS HB 1891 - Crump

6 HB 1782 - Kennedy

7 HCS HB 1488 - Williams (121)

8 HCS HB 1124 - Shear

9 HB 1796, HCA 1 - Harlan

10 HB 1380 - Kreider

11 HB 962 - Backer

12 HB 1202 - Bartlett

13 HCS HB 1138 - Leake

14 HCS HB 907 - Hosmer

15 HCS HB 1375 - May (108)

16 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

17 HB 958 - Liese

18 HCS HB 1153 - Backer

19 HCS HB 1534 - Graham (24)

20 HCS HB 1277 & 900 - Gunn

21 HCS HB 924 - McLuckie

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310, HSA4 for HA4, HA4, HS, a.a., pending - Dougherty

HCS HB 1674, HS, as amended, pending, - Rizzo

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1258, (Budget Fiscal 4-6-98) - Bland

3 HS HCS HB 1317, (Budget Fiscal 4-14-98) - Fritts

4 HCS HB 1537, (Budget Fiscal 4-14-98) - Troupe

5 HB 1126, (Budget Fiscal 4-13-98) - Thomason (163)

6 HB 1564, (Budget Fiscal 4-13-98) - Relford

7 HCS HB 1684, (Budget Fiscal 4-15-98) - Hollingsworth

8 HS HB 976 - Bauer

9 HB 1302 - Bland

10 HS HCS HB 1051 & 1276, (Budget Fiscal 4-16-98) - May (108)

HOUSE BILL FOR THIRD READING - INFORMAL

HB 1610, - DeMarce - (CONSENT)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HB 1822, E.C.(Budget Fiscal 4-15-98) - Kelly (27)

HOUSE BILL FOR THIRD READING - CONSENT

HB 1783 - Lakin

SENATE BILLS FOR THIRD READING - CONSENT

1 SB 764 - Hollingsworth

2 SB 658, E.C. - Stoll

3 HCS SB 535 - Bray

4 SCS SB 820, E.C. - Luetkenhaus

5 SCS SB 684 - Smith

6 SB 537 - May (108)

7 SB 488, E.C. - Days

8 SB 918 - Schilling

9 SB 626, HCA 1 - Leake

10 SB 928 - Chrismer

11 HCS SB 842 - Crump

12 HCS SB 579 - Pryor

13 SB 695 - Kasten

14 SB 553, HCA 1 - Stoll

15 SB 597 - Lawson

16 HCS SB 841 - Hagan-Harrell

17 HCS SCS SB 732 - O'Connor

18 SB 580 - Hoppe

19 SB 832 - Hoppe

20 HCS SB 917 - Hoppe

21 HCS SB 479 - Hoppe

22 HCS SB 550 - Hoppe

23 SB 733, HCA 1 - Stoll

24 SB 642 - Murray

25 SCS SB 652 - Robirds

26 SB 766, E.C. - Hosmer

27 SB 720 - Thompson (72)

28 SB 961 - Dougherty

(April 15, 1998)

29 SB 870 -

30 SCS SB 649 - Luetkenhaus

31 SB 828 -

32 SB 829 -

33 SB 551 - Cooper

34 HCS SB 839 -

35 SB 884 - Gratz

36 SB 940 - Stoll

37 HCS SB 739 - Stoll

(April 16, 1998)

38 HCS SB 786 - Monaco

39 SCS SB 470 - Smith

40 SB 701 -

41 SB 861 - Leake

42 SB 719 -

43 SB 819 - Hoppe

44 SB 631 - Smith

45 SB 793 -

46 HCS SB 809 -

47 HCS SB 676 -

48 SB 900 - Smith

49 HCS SB 778 -

50 SB 517 -

51 HCS SB 898 -

52 SCS SB 496 - McClelland

53 HCS SB 844, E.C. - May (108)

54 SCS SB 604 - Scott

55 HCS SB 963 - Gunn

56 SB 558 -

57 HCS SB 526 - Berkstresser

58 SCS SB 536 - Williams (121)

59 HCS SCS SB 610 & 835 - Gaskill

60 HCS SB 970 - Leake

61 SCS SB 897 - Leake

62 SB 941 -

63 HCS SCS SB 634, E.C. - Hosmer

64 SCS SB 790 -

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 1480 - DeMarce

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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House Journal

Second Regular Session, 89th General Assembly

FIFTY-EIGHTH DAY, Tuesday, April 21, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Brent Haworth.

O God, as we welcome another beautiful day, we thank You that You are the Creator of all good things in our lives and in our world. We confess that far too often we take so many of the blessings You bestow upon us for granted. May we have an openness of spirit to all that You continue to do, renewing and rebuilding Your creation.

Particularly today, O God, it is an honor to pray with this assemblage of the leaders of our State's government. I would ask that You would give them the insight of our Lord when He taught, "For I was hungry and you gave me food; I was thirsty and you gave me something to drink; I was a stranger and you welcomed me; I was naked and you gave me clothing; I was sick and you took care of me; I was in prison and you visited me. As you did it to the least of these, you did it for me." (Matthew 25:35-36, 40)

We thank You again for the blessings of life, freedom, and especially I'm thankful for all these willing to serve to better our State.

In Jesus' Blessed Name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: William Myers Godar, Chris Rumpsa, Brian Giammanco, Nicole Ilg, Karen Shaffer, Tracey Purgason, Kelly Rudroff, Melissa Rechtien, Anthony DiSalvo, Ryan Lancaster, April Murhammer, Aaron Killam, Laura Snyder, Hanna Pickering, Vicki Nyemchek, Nate Gilbert, Ryan Lucas, Ashley Jones, Sara Nicely, Daniel Bogard, Meghana Patel, Joseph LaManna, Eric Shieh, Blair Hood, Maureen Martz, Nate Stein, Matt Wilcox, Nick Cady, Joseph Fetter, Thomas Mulvihill, Helen Robichaux, Lindsey Conley, Christopher Wells, Ashley Crain, Brandon Dittemore, Laren Vickers, Eriq Gaskill, Brennon Kristek, Catherine Elizabeth Kristek, John Robert Hedgpeth, Haley Quinn, Kristiana Bartelsmeyer, Tara Temmen, Mia White, Lakecha Hancock, Elizabeth Kellim, Stephanie Nolan, Kayce

Swigelson, Paul DiMaria, Neil Mann, David Mann, Maggie Davis, Katy Davis, Wil Davis, Shannon Davis, Lydia Wallace, Megan Powell, Angie Hunzee and Julie Brenner.

The Journal of the fifty-seventh day was approved as corrected.

RESOLUTIONS

Representative Berkstresser offered House Resolution No. 968, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Purgason offered House Resolution No. 969 and House Resolution No. 970, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1126 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1317 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1564 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HB 1684 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Representative Williams (121) offered the following Proclamation which was read.

PROCLAMATION

WHEREAS, the youth of today are the leaders of tomorrow; and

WHEREAS, our people need to be exposed to the many career opportunities available to them; and

WHEREAS, "Take Our Daughters to Work Day" was established in 1993 to bring young women into the workplace and build self-esteem by showing them all the career choices that exist for women; and

WHEREAS, the Missouri House of Representatives and State Senate will host several young women from across our state on April 21, 1998, to participate in the 6th Annual Take Our Daughters to Work Day; and

WHEREAS, these young women will have the opportunity to see the brisk pace and numerous responsibilities shouldered by the women of the Missouri General Assembly, be introduced to the House and Senate, have a tour of the Capitol and attend a special luncheon:

NOW, THEREFORE, I, MEL CARNAHAN, GOVERNOR OF THE STATE OF MISSOURI, do hereby proclaim April 21, 1998, to be

TAKE OUR DAUGHTERS TO WORK DAY

in Missouri and urge the citizens of our state to participate in this worthwhile event.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, this 17th day of April, 1998.

Representative Scheve assumed the Chair.

THIRD READING OF SENATE BILLS - CONSENT

SB 580, relating to municipal elections, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **SB 580** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard Edwards-Pavia Franklin O'Connor Shear
Skaggs Thompson 37 Williams 12

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Lawson moved that the vote by which the bill passed be reconsidered.

Representative Farnen moved that motion lay on the table.

The latter motion prevailed.

SB 832, relating to farming corporations, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **SB 832** was truly agreed to and finally passed by the following vote:

AYES: 146

Akin Alter Auer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Broach Burton Campbell Carter Champion
Chrismer Clayton Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Lograsso Long Loudon Luetkenhaus

Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Rizzo

Robirds Ross Sallee Scheve Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Smith Steen Stoll Stroker

Summers Surface Thomason 163 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wooten Mr. Speaker

NOES: 004

Backer Bray 84 Schilling Wilson

PRESENT: 000

ABSENT WITH LEAVE: 012

Cierpiot Franklin Green Kennedy Linton

O'Connor O'Toole Ridgeway Shear Skaggs

Stokan Thompson 37

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Stroker moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider resumed the Chair.

HCS SB 917, relating to county government, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HCS SB 917** was adopted.

HCS SB 917 was placed on the Informal Calendar.

THIRD READING OF HOUSE BILLS

HB 1564, relating to water pollution control bonds, was taken up by Representative Relford.

On motion of Representative Relford, **HB 1564** was read the third time and passed by the following vote:

AYES: 146

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Scheve Schilling
Schwab Secrest Seigfreid Sheldon 104 Shelton 57
Shields Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer Foster Linton O'Connor Purgason

Sallee Scott Shear Skaggs Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Fritts moved that motion lay on the table.

The latter motion prevailed.

HB 1126, relating to digital signatures, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **HB 1126** was read the third time and passed by the following vote:

AYES: 143

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Lograsso Loudon Luetkenhaus
Marble May 108 McBride McClelland Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Relford
Reynolds Richardson Rizzo Robirds Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Treadway
Troupe Van Zandt Vogel Wiggins Williams 159
Wilson Wooten Mr. Speaker

NOES: 003

Crawford Hartzler 124 Townley

PRESENT: 000

ABSENT WITH LEAVE: 016

Bartelsmeyer Bauer Johnson Linton Long
Mays 50 McLuckie O'Connor Ransdall Reinhart
Ridgeway Ross Sallee Shear Wannenmacher
Williams 121

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Hickey moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

Representative Scheve resumed the Chair.

HCS HB 1684, relating to family care safety act, was taken up by Representative Hollingsworth.

On motion of Representative Hollingsworth, **HCS HB 1684** was read the third time and passed by the following vote:

AYES: 103

Alter Auer Backer Barnett Barry 100

Bartlett Bauer Bland Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Cierpiot Clayton Cooper Copeland

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days Dolan Donovan Dougherty Elliott

Farnen Fitzwater Foley Ford Franklin

Fritts Graham 106 Graham 24 Gratz Green

Gunn Hagan-Harrell Harlan Hartzler 124 Heckemeyer

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Johnson Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Levin Liese Long Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Monaco Murray O'Toole Ostmann Overschmidt

Parker Pryor Ransdall Relford Reynolds

Rizzo Ross Scheve Seigfreid Sheldon 104

Shelton 57 Shields Smith Stoll Stroker

Surface Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 052

Akin Ballard Bartelsmeyer Bennett Berkstresser

Boatright Chrismer Crawford DeMarce Edwards-Pavia

Enz Evans Foster Froelker Gaskill

Gaston Gibbons Griesheimer Gross Hall

Hartzler 123 Hegeman Hohulin Howerton Kauffman

Kelley 47 Klindt Legan Linton Loudon

Marble Merideth Miller Murphy Naeger

Nordwald Patek Pouche Purgason Richardson

Ridgeway Robirds Schilling Schwab Scott

Secrest Steen Stokan Summers Townley

Vogel Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 007

Kasten Lograsso O'Connor Reinhart Sallee

Shear Skaggs

VACANCIES: 100

Representative Scheve declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

HS HCS HB 1317, relating to operation of motor vehicles, was taken up by Representative Fritts.

On motion of Representative Fritts, **HS HCS HB 1317** was read the third time and passed by the following vote:

AYES: 113

Auer Backer Barry 100 Bartlett Bauer

Bennett Berkstresser Bland Bonner Boucher

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Cooper Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days Donovan

Edwards-Pavia Elliott Evans Farnen Ford

Foster Franklin Fritts Gaskill Gaston

Graham 106 Gratz Green Gross Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hendrickson

Hickey Hilgemann Hohulin Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kennedy Kissell Koller Kreider

Lakin Legan Levin Liese Lograsso

Long Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Toole Ostmann

Parker Pryor Ransdall Relford Reynolds

Richardson Rizzo Ross Scheve Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Skaggs SmithSteen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 72 Townley

Treadway Troupe Vogel Williams 159 Wilson

Wooten Mr. Speaker

NOES: 038

Akin Alter Ballard Barnett Bartelsmeyer

Boatright Bray 84 Clayton Copeland Crawford

DeMarce Enz Fitzwater Froelker Gibbons

Graham 24 Griesheimer Gunn Hall Hegeman

Holand Kelly 27 Klindt Leake Linton

Loudon Marble Murphy Overschmidt Patek

Pouche Purgason Ridgeway Schilling Shields

Thompson 37 Van Zandt Wannenmacher

PRESENT: 001

Williams 121

ABSENT WITH LEAVE: 010

Dolan Dougherty Foleyr Lawson O'Connor

Reinhart Robirds Sallee Shear Wiggins

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Leake moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

MOTION

Representative Thomason (163), having voted on the prevailing side, moved that the vote by which **HCS SB 917** was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 121

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser
Bland Bonner Boucher Bray 84 Burton
Campbell Carter Cierpiot Clayton Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Dougherty
Edwards-Pavia Enz Farnen Fitzwater Foley
Ford Franklin Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hickey
Hilgemann Holand Hollingsworth Hoppe Hosmer
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Leake Legan Levin Liese Linton
Lograsso Long Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murray Nordwald O'Toole
Ostmann Overschmidt Parker Patek Pouche
Ransdall Reinhart Relford Reynolds Richardson
Rizzo Robirds Ross Sallee Scheve
Schilling Scott Seigfreid Sheldon 104 Shelton 57
Shields Smith Stokan Stoll Stroker
Surface Thomason 163 Thompson 72 Treadway Troupe
Van Zandt Vogel Wiggins Williams 121 Williams 159
Wilson

NOES: 030

Akin Bennett Boatright Broach Champion
Chrismer Cooper Donovan Elliott Evans
Foster Gaskill Hall Hegeman Hendrickson
Hohulin Howerton Loudon Murphy Naeger
Pryor Purgason Ridgeway Schwab Secrest
Steen Summers Townley Wannenmacher Wooten

PRESENT: 001

Froelker

ABSENT WITH LEAVE: 010

Fritts Gunn Hagan-Harrell Lakin Lawson
O'Connor Shear Skaggs Thompson 37 Mr. Speaker

VACANCIES: 001

HCS SB 917, relating to county government, was again taken up by Representative Hoppe.

Representative Hoppe moved that **HCS SB 917** be adopted.

Which motion was defeated.

On motion of Representative Hoppe, **SB 917** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin Alter Auer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Griesheimer Gross Gunn Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murray Naeger Nordwald
O'Toole Ostmann Overschmidt Parker Patek
Pouche Purgason Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten

NOES: 002

Green Murphy

PRESENT: 000

ABSENT WITH LEAVE: 009

Backer Hagan-Harrell Lawson O'Connor Pryor

Ransdall Shear Thompson 37 Mr. Speaker

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Skaggs, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HBs 972 & 1310, with House Substitute Amendment No. 1 for House Amendment No. 4, House Amendment No. 4 and HS, as amended, pending, relating to domestic relations, was again taken up by Representative Dougherty.

House Substitute Amendment No. 1 for House Amendment No. 4 was withdrawn.

Speaker Pro Tem Kreider resumed the Chair.

Representative Monaco offered House Substitute Amendment No. 1 for House Amendment No. 4.

House Substitute Amendment No. 1

for

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 972 & 1310, Page 1, In the Title, Line 10 of said page, by deleting the word "thirty-nine" and inserting in lieu thereof the word "forty"; and

Further amend said bill, page 1, section A, line 20 of said page, by deleting the word "thirty-nine" and inserting

in lieu thereof the word "forty"; and

Further amend said bill, page 2, section A, line 5 of said page, by deleting the word and figure "and 6" and inserting in lieu thereof the word and figures ",6 and 7"; and

Further amend said bill, page 95, section 6, line 9 of said page, by inserting after all of said line the following:

"**Section 7. Any court order for the legal custody of or parenting time with a child, or for visitation with a child for orders entered before January 1, 1999, may include a provision that the sheriff or other law enforcement officer shall enforce the rights of either parent to custody, parenting time or visitation, as the case may be, unless the court issues a subsequent order pursuant to this chapter, chapter 210, RSMo, chapter 211, RSMo, or Chapter 455, RSMo, to limit or deny either parent's access to the child. Such sheriff or law enforcement officer shall not remove a child from a person who has actual possession of the child unless such sheriff or officer is shown a court order or judgement which clearly and convincingly verifies that such person is not entitled to the actual possession of the child and that there are not other exigent circumstances that would give the sheriff or other law enforcement officer reasonable suspicion to believe that the children would be harmed or endangered or that the court order presented to the sheriff or other law enforcement officer may not be valid.**"

On motion of Representative Monaco, House Substitute Amendment No. 1 for House Amendment No. 4 was adopted.

Representative Green offered House Amendment No 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 & 1310, Page 1, In the Title, Line 5 of said page, by deleting the word and figure "and 452.605" and inserting in lieu thereof the word and figures ", 452.605 and 454.432"; and

Further amend said bill, Page 1, In the Title, Line 7 of said page, by inserting after the figure "452.400" the figures ", 454.390, 454.408, 454.413, 454.440, 454.455, 454.460, 454.490"; and

Further amend said bill, Page 1, In the Title, Line 10 of said page, by deleting the word "thirty-nine" and inserting in lieu thereof the word "forty-nine"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word and figure "and 452.605," and inserting in lieu thereof the word and figures ", 452.605 and 454.432,"; and

Further amend said bill, Page 1, Section A, Line 19 of said page, by inserting after the figure "452.400" the figures ", 454.390, 454.408, 454.413, 454.440, 454.455, 454.460, 454.490"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by deleting the word "thirty-nine" and inserting in lieu thereof the word "forty-nine"; and

Further amend said bill, Page 2, Section A, Line 4 of said page, by inserting after the figure "452.605," the figures "454.390, 454.408, 454.413, 454.432, 454.440, 454.455, 454.460,"; and

Further amend said bill, Page 2, Section A, Line 4 of said page, by deleting the figure "454.505," and inserting in lieu thereof the figures "454.490, 454.505, 454.999, 454.1031,"; and

Further amend said bill, Page 82, Section 452.605, Line 7 of said page, by inserting after all of said line the following:

"454.390. The division shall [respond within five business days to] **use high-volume automated administrative enforcement, to the same extent as used in intrastate cases, in response to** a request made by another state child support agency to enforce a support order **and promptly report the results to the requesting state**. If the division provides assistance to another state in such a case, neither this state nor the requesting state shall

consider the case to be transferred to its caseload; however, the division shall maintain records of the number of such interstate requests for assistance, the number of cases for which support was collected and the amounts of such collections. The division is authorized to transmit to another state, by electronic or other means, a request for assistance in a case involving the enforcement of a support order. Such request shall:

(1) Include information to enable the receiving state to compare the information about the case to the information in state databases; and

(2) Constitute a certification by the division of the arrearage amount under the order and that the division has complied with all applicable procedural due process requirements as provided for in this chapter.

454.408. The division of child support enforcement:

(1) Shall determine whether a person who has applied for or is receiving assistance from a program funded pursuant to Part A **or Part E** or Title IV [or] **of the Social Security Act,** Title XIX of the Social Security Act **or the Food Stamp Act** is cooperating in good faith with the division in establishing the paternity of, or in establishing, modifying or enforcing a support order for any child of such person by providing the division with the name of the noncustodial parent or any other information the division may require. The division may, by regulation, excuse compliance with the provisions of this subsection on a case-by-case basis for good cause or other exceptions as the division may deem to be in the best interest of the child;

(2) Shall require as a condition of cooperation that such person supply additional information deemed necessary by the division and appear at any interviews, hearings or legal proceedings;

(3) Shall require as a condition of cooperation that such person and such person's child submit to genetic testing pursuant to a judicial or administrative order;

(4) May request that such person sign a voluntary acknowledgment of paternity, after notice of the rights and consequences of such an acknowledgment, but may not require such person to sign an acknowledgment or otherwise relinquish the right to a genetic test as a condition of cooperation and eligibility for assistance from a state program funded pursuant to Part A **or Part E** of Title IV [or] **of the Social Security Act,** Title XIX of the Social Security Act **or the Food Stamp Act**; and

(5) Shall promptly notify such person, the division of family services or the division of medical services of every determination made pursuant to this section, including a determination that such person is not cooperative and the basis for such determination.

454.413. 1. Each party to a paternity or child support proceeding establishing, modifying or enforcing a support order pursuant to chapter 210, RSMo, chapter 211, RSMo, chapter 452, RSMo, or chapter 454, shall file with the [court or division where such proceeding is pending, and with the court or division for the] state case registry upon entry of an order, information on the location and identity of such party including the party's social security number, residential address, mailing address, telephone number, driver's license number and the name, address and telephone number of the party's employer. If such information changes, such party shall provide the new information to the [court or division] **state case registry** within thirty days of any such change.

2. In any subsequent child support enforcement action between the parties, the court or division [may] **shall** deem that the due process requirements for notice and service of process are met with respect to such party upon a sufficient showing that diligent effort has been made to ascertain the location of a party **including written notice by certified mail to the last known address of the party and attempted service by publication**, and written notice has been delivered to the most recent residential or employer address of such party filed with the [court or division] **state case registry**.

454.432. 1. The circuit clerk shall record credits on child support trusteeship records established pursuant to this chapter or chapter 452, RSMo, for amounts not received by the clerk only to the extent permitted by this section.

2. Credits allowed [under] **pursuant to** this section shall include, but not be limited to, in-kind payments as provided in this section, amounts collected from an obligor from federal and state income tax refunds, state lottery payments, social security payments, unemployment and workers' compensation benefits, income withholdings authorized by law, liens, garnishment actions, and any other amounts required to be credited by statute or case law.

3. Credits shall be recorded on the trusteeship record for payments received by the division of child support enforcement and, at the discretion of the division of child support enforcement, and upon receipt of waivers requested pursuant to subsection 4 of this section, credits may be given on state debt judgments obtained pursuant to subsection 1 of section 454.465 for completion of such activities as job training and education, if mutually agreed upon by the division and the obligor. The circuit clerk shall make such credits upon receipt of paper or electronic documentation of the amount of the credit from the division and verification of the authenticity of the documentation by the circuit clerk.

4. The director of the department of social services shall apply to the United States Secretary of Health and Human Services for all waivers of requirements under federal law necessary to implement the provisions of subsection 3 of this section.

5. Credits shall be entered on the trusteeship record for direct and in-kind payments received by the custodial parent when [all parties to the support order file] **the custodial parent files** an affidavit stating the particulars of the direct and in-kind payments to be credited on the court record with the circuit clerk; however, no such credits shall be entered for periods during which child support payments are assigned to the state pursuant to law. Such credits may include, but shall not be limited to, partial and complete satisfaction of judgment for support arrearages.

6. Nothing contained in this section shall prohibit satisfaction of judgment as provided for in sections 511.570 to 511.620, RSMo, and by supreme court rule.

7. Application for the federal earned income tax credit shall, when applicable, be required as a condition of participating in the alternative child support credit programs of subsection 3 of this section.

454.440. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:

(1) "Business" includes any corporation, partnership, association, individual, and labor or other organization including, but not limited to, a public utility or cable company;

(2) "Division", the Missouri division of child support enforcement of the department of social services;

(3) "Financial entity" includes any bank, trust company, savings and loan association, credit union, insurance company, or any corporation, association, partnership, or individual receiving or accepting money or its equivalent on deposit as a business;

(4) "Government agency", any department, board, bureau or other agency of this state or any political subdivision of the state;

(5) "Information" includes, but is not necessarily limited to, the following items:

(a) Full name of the parent;

(b) Social security number of the parent;

(c) Date of birth of the parent;

(d) Last known mailing and residential address of the parent;

(e) Amount of wages, salaries, earnings or commissions earned by or paid to the parent;

(f) Number of dependents declared by the parent on state and federal tax information and reporting forms;

(g) Name of company, policy numbers and dependent coverage for any medical insurance carried by or on behalf of the parent;

(h) Name of company, policy numbers and cash values, if any, for any life insurance policies or annuity contracts, carried by or on behalf of, or owned by, the parent;

(i) Any retirement benefits, pension plans or stock purchase plans maintained on behalf of, or owned by, the parent and the values thereof, employee contributions thereto, and the extent to which each benefit or plan is vested;

(j) Vital statistics, including records of marriage, birth or divorce;

(k) Tax and revenue records, including information on residence address, employer, income or assets;

(l) Records concerning real or personal property;

(m) Records of occupational, professional or recreational licenses or permits;

(n) Records concerning the ownership and control of corporations, partnerships or other businesses;

(o) Employment security records;

(p) Records concerning motor vehicles;

(q) Records of assets or liabilities;

(r) Corrections records;

(s) Names and addresses of employers of parents;

(t) Motor vehicle records; and

(u) Law enforcement records;

(6) "Parent", a biological or adoptive parent, including a presumed or putative father.

2. For the purpose of locating and determining financial resources of the parents relating to establishment of paternity or to establish, modify or enforce support orders, the division or other state IV-D agency may request and receive information from the federal Parent Locator Service, from available records in other states, territories and the District of Columbia, from the records of all government agencies, and from businesses and financial entities. A request for information from a public utility or cable television company shall be made by subpoena authorized pursuant to this chapter. The government agencies, businesses, and financial entities shall provide information, if known or chronicled in their business records, notwithstanding any other provision of law making the information confidential. In addition, the division [or other state IV-D agency] may **use all sources of information and available records and**, pursuant to agreement with the secretary of the United States Department of Health and Human Services, or the secretary's designee, request and receive from the federal Parent Locator Service information [authorized] pursuant to 42 U.S.C. [Section] **Sections** 653 **and 663**, to determine the whereabouts of any parent or child when such information is to be used to locate the parent or child to enforce any state or federal law with respect to the unlawful taking or restraining of a child, or **of making or** enforcing a child custody or visitation order.

3. Notwithstanding the provisions of subsection 2 of this section, no financial entity shall be required to provide the information requested by the division or other state IV-D agency unless the division or other state IV-D agency alleges that the parent about whom the information is sought is an officer, agent, member, employee, depositor, customer or the insured of the financial institution, or unless the division or other state IV-D agency has complied with the provisions of section 660.330, RSMo.

4. Any business or financial entity which has received a request from the division or other state IV-D agency as provided by subsections 2 and 3 of this section shall provide the requested information or a statement that any or all of the requested information is not known or available to the business or financial entity, within sixty days of receipt of the request and shall be liable to the state for civil penalties up to one hundred dollars for each day after such sixty-day period in which it fails to provide the information so requested. Upon request of the division or other state IV-D agency, the attorney general shall bring an action in a circuit court of competent jurisdiction to recover the civil penalty. The court shall have the authority to determine the amount of the civil penalty to be assessed.

5. Any business or financial entity, or any officer, agent or employee of such entity, participating in good faith in providing information requested pursuant to subsections 2 and 3 of this section shall be immune from liability, civil or criminal, that might otherwise result from the release of such information to the division.

6. Upon request of the division or other state IV-D agency, any parent shall complete a statement under oath, upon such form as the division or other state IV-D agency may specify, providing information, including, but not necessarily limited to, the parent's monthly income, the parent's total income for the previous year, the number and name of the parent's dependents and the amount of support the parent provides to each, the nature and extent of the parent's assets, and such other information pertinent to the support of the dependent as the division or other state IV-D agency may request. Upon request of the division or other state IV-D agency, such statements shall be completed annually. Failure to comply with this subsection is a class A misdemeanor.

7. The disclosure of any information provided to the business or financial entity by the division or other state IV-D agency, or the disclosure of any information regarding the identity of any applicant for or recipient of public assistance, by an officer or employee of any business or financial entity, or by any person receiving such information from such employee or officer is prohibited. Any person violating this subsection is guilty of a class A misdemeanor.

8. Any person who willfully requests, obtains or seeks to obtain information pursuant to this section under false pretenses, or who willfully communicates or seeks to communicate such information to any agency or person except pursuant to this chapter, is guilty of a class A misdemeanor.

9. For the protection of applicants and recipients of services pursuant to sections 454.400 to 454.645, all officers and employees of, and persons and entities under contract to, the state of Missouri are prohibited, except as otherwise provided in this subsection, from disclosing any information obtained by them in the discharge of their official duties relative to the identity of applicants for or recipients of services or relating to proceedings or actions to establish paternity or to establish or enforce support, or relating to the contents of any records, files, papers and communications, except in the administration of the child support program or the administration of public assistance, including civil or criminal proceedings or investigations conducted in connection with the administration of the child support program or the administration of public assistance. Such officers, employees, persons or entities are specifically prohibited from disclosing any information relating to the location of one party to another party:

(1) If a protective order has been entered against the other party; or

(2) If there is reason to believe that such disclosure of information may result in physical or emotional harm to the other party.

In any judicial proceedings, except such proceedings as are directly concerned with the administration of

these programs, such information obtained in the discharge of official duties relative to the identity of applicants for or recipients of child support services or public assistance, and records, files, papers, communications and their contents shall be confidential and not admissible in evidence. Nothing in this subsection shall be construed to prohibit the circuit clerk from releasing information, not otherwise privileged, from court records for reasons other than the administration of the child support program, if such information does not identify any individual as an applicant for or recipient of services pursuant to sections 454.400 to 454.645. Anyone who purposely or knowingly violates this subsection is guilty of a class A misdemeanor.

454.455. 1. In any case wherein an order for child support has been entered and the legal custodian and obligee pursuant to the order relinquishes physical custody of the child to a caretaker relative without obtaining a modification of legal custody, and the caretaker relative makes an assignment of support rights to the division of family services in order to receive aid to families with dependent children benefits, the relinquishment and the assignment, by operation of law, shall transfer the child support obligation pursuant to the order to the division in behalf of the state. The assignment shall terminate when the caretaker relative no longer has physical custody of the child, except for those unpaid support obligations still owing to the state pursuant to the assignment at that time.

2. As used in subsection 1 of this section, the term "caretaker relative" includes only those persons listed in subdivision (2) of subsection 1 of section 208.040, RSMo.

3. If an order for child support has been entered, no assignment of support has been made, and the legal custodian and obligee under the order relinquishes physical custody of the child to a caretaker relative without obtaining a modification of legal custody, **or the child is placed by the court in the legal custody of a state agency,** the division may, thirty days after the transfer of custody and upon notice to the obligor and obligee, direct the obligor or other payor to change the payee to the caretaker relative or appropriate state agency. Such order shall terminate when the caretaker relative no longer has physical custody of the child, **or the state agency is relieved of legal custody,** except for the unpaid support obligations still owed to the caretaker relative.

4. If there has been an assignment of support to an agency or division of the state or a requirement to pay through a state disbursement unit, the division may, upon notice to the obligor and obligee, direct the obligor or other payor to change the payee to the appropriate state agency.

454.460. As used in sections 454.460 to 454.520, unless the context clearly indicates otherwise, the following terms mean:

(1) "Court", any circuit court of this state and any court or agency of any other state having jurisdiction to determine the liability of persons for the support of another person;

(2) "Court order", any judgment, decree, or order of any court which orders payment of a set or determinable amount of support money;

(3) "Department", the department of social services of the state of Missouri;

(4) "Dependent child", any person under the age of twenty-one who is not otherwise emancipated, self-supporting, married, or a member of the armed forces of the United States;

(5) "Director", the director of the division of child support enforcement, or the director's designee;

(6) "Division", the division of child support enforcement of the department of social services of the state of Missouri;

(7) "IV-D agency", an agency designated by a state to administer programs under Title IV-D of the Social Security Act;

(8) "IV-D case", a case in which services are being provided pursuant to section 454.400;

(9) "Obligee", any person to whom payments are required to be made pursuant to the terms of a court order for a child, spouse or former spouse;

(10) "Obligor", any person required to make payments pursuant to the terms of a court order for a child, spouse or former spouse;

(11) "Parent", the biological or adoptive father or mother of a dependent child;

(12) "Public assistance", any cash or benefit under Part IV-A or Title XIX of the federal Social Security Act paid by the department to or for the benefit of any dependent child or any public assistance assigned to the state;

(13) "State", any state or political subdivision, territory or possession of the United States, District of Columbia, and the Commonwealth of Puerto Rico;

(14) "Support order", a judgment, decree or order, whether temporary, final or subject to modification, issued by a court or administrative agency of competent jurisdiction for the support and maintenance of a child, including a child who has attained the age of majority under the law of the issuing state, or [a child and] **of** the

parent with whom the child is living and providing monetary support, health care, child care, arrearages or reimbursement for such child, and which may include related costs and fees, interest and penalties, income withholding, attorneys' fees and other relief."; and

Further amend said bill, Page 82, Section 454.505, by deleting all of said section and inserting in lieu thereof the following:

"454.490. 1. A true copy of any order entered by the director pursuant to sections 454.460 to 454.997, along with a true copy of the return of service, may be filed with the clerk of the circuit court in the county in which [either the parent or the dependent child resides] **the judgment of dissolution or paternity has been entered, or if no such judgment was entered, in the county where the support order was filed**. Upon filing, the clerk shall enter the order in the judgment docket. Upon docketing, the order shall have all the force, effect, and attributes of a docketed order or decree of the circuit court, including, but not limited to, lien effect and enforceability by supplementary proceedings, contempt of court, execution and garnishment. Any administrative order or decision of the division of child support enforcement filed in the office of the circuit clerk of the court shall not be required to be signed by an attorney, as provided by supreme court rule of civil procedures 55.03(a), or required to have any further pleading other than the director's order.

2. In addition to any other provision to enforce an order docketed pursuant to this section or any other support order of the court, the court may, upon petition by the division, require that an obligor who owes past due support [to a child receiving assistance under Part IV-A of the Social Security Act] to pay support in accordance with a plan approved by the court, or if the obligor is subject to such plan and is not incapacitated, the court may require the obligor to participate in work activities.

3. In addition to any other provision to enforce an order docketed pursuant to this section or any other support order of the court, division or other IV-D agency, the director may order that an obligor who owes past due support [to a child receiving assistance under Part IV-A of the Social Security Act] to pay support in accordance with a plan approved by the director, or if the obligor is subject to such plan and is not incapacitated, the director may order the obligor to participate in work activities. The order of the director shall be filed with a court pursuant to subsection 1 of this section and shall be enforceable as an order of the court.

4. As used in this section, "work activities" include:

(1) Unsubsidized employment;

(2) Subsidized private sector employment;

(3) Subsidized public sector employment;

(4) Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;

(5) On-the-job training;

(6) Job search and readiness assistance;

(7) Community services programs;

(8) Vocational educational training, not to exceed twelve months for any individual;

(9) Job skills training directly related to employment;

(10) Education directly related to employment for an individual who has not received a high school diploma or its equivalent;

(11) Satisfactory attendance at a secondary school or course of study leading to a certificate of general equivalence for an individual who has not completed secondary school or received such a certificate; or

(12) The provision of child care services to an individual who is participating in a community service program.

454.505. 1. In addition to any other remedy provided by law for the enforcement of support, if [an] **a support** order has been entered [by the director pursuant to sections 454.460 to 454.997], the director shall issue an order directing any employer or other payor of the parent to withhold and pay over to the [department] **division** or the clerk of the circuit court in the county in which [the order of the director was docketed pursuant to section 454.490] **a trusteeship is or will be established**, money due or to become due the obligated parent in an amount not to exceed federal wage garnishment limitations. For administrative child support orders issued pursuant to sections other than section 454.476, the director shall not issue an order to withhold and pay over in any case in which:

(1) One of the parties demonstrates, and the director finds, that there is good cause not to require immediate income withholding. For purposes of this subdivision, any finding that there is good cause not to require immediate withholding shall be based on, at least, a written determination and an explanation by the director

that implementing immediate wage withholding would not be in the best interests of the child and proof of timely payments of previously ordered support in cases involving the modification of support orders; or

(2) A written agreement is reached between the parties that provides for an alternative payment arrangement. If the income of an obligor is not withheld as of the effective date of the support order, pursuant to subdivision (1) or (2) of this subsection, or otherwise, such obligor's income shall become subject to withholding pursuant to this section, without further exception, on the date on which the obligor becomes delinquent in maintenance or child support payments in an amount equal to one month's total support obligation.

2. An order entered pursuant to this section shall recite the amount required to be paid as continuing support, the amount to be paid monthly for arrearages and the social security number of the obligor if available.

In addition, the order shall contain a provision that the obligor shall notify the division of child support enforcement regarding the availability of medical insurance coverage through an employer or a group plan, provide the name of the insurance provider when coverage is available, and inform the division of any change in access to such insurance coverage. A copy of sections 454.460 and 454.505 shall be appended to the order. A copy of such order shall be filed with the circuit court in the county in which the [administrative support order was filed pursuant to section 454.490] **trusteeship is or will be established**.

3. An order entered pursuant to this section shall be served on the employer or other payor by certified mail, return receipt requested or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. A copy of the order and a notice of property exempt from withholding shall be mailed to the obligor at the obligor's last known address. The notice shall advise the obligor that the withholding has commenced and the procedures to contest such withholding pursuant to section 454.475 on the grounds that such withholding or the amount withheld is improper due to a mistake of fact by requesting a hearing thirty days from mailing the notice. At such a hearing the certified copy of the court order and the sworn or certified statement of arrearages shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert mistake of fact as a defense. For purposes of this section, "mistake of fact" means an error in the amount of the withholding or an error as to the identity of the obligor. The obligor shall have the burden of proof on such issues. The obligor may not obtain relief from the withholding by paying the overdue support. The employer or other payor shall withhold from the earnings or other income of each obligor the amount specified in the order, and may deduct an additional sum not to exceed six dollars **per month** as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. 1673(b). The employer or other payor shall transmit the payments as directed in the order within seven business days of the date the earnings, money due or other income was payable to the obligor. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from each obligor. If the order does not contain the social security number of the obligor, the employer or other payor shall not be liable for withholding from the incorrect obligor.

4. If the order is served on a payor other than an employer, it shall be a lien against any money due or to become due the obligated parent which is in the possession of the payor on the date of service or which may come into the possession of the payor after service until further order of the director, except for any deposits held in two or more names in a financial institution.

5. The department shall notify an employer or other payor upon whom such an order has been directed whenever all arrearages have been paid in full, and whenever, for any other reason, the amount required to be withheld and paid over to the department pursuant to the order as to future pay periods is to be reduced or redirected. If the parent's support obligation is required to be paid monthly and the parent's pay periods are at more frequent intervals, the employer or other payor may, at the request of the parent and with the consent of the director, withhold and pay over to the department, an equal amount at each pay period cumulatively sufficient to comply with the withholding order.

6. An order issued pursuant to subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. Such orders shall terminate when all children for whom the support order applies are emancipated or deceased, or the support obligation otherwise ends, and all arrearages are paid. No order to withhold shall be terminated solely because the obligor has fully paid arrearages.

7. An order issued pursuant to subsection 1 of this section shall have priority over any other legal process pursuant to state law against the same wages, except that where the other legal process is an order issued pursuant to this section or section 452.350, RSMo, the processes shall run concurrently, up to applicable wage withholding limitations. If concurrently running wage withholding processes for the collection of support obligations would cause the amounts withheld from the wages of the obligor to exceed applicable wage withholding limitations, the employer shall first satisfy current support obligations by dividing the amount available to be withheld among the orders on a pro rata basis using the percentages derived from the relationship each current support order amount has to the sum of all current child support obligations. Thereafter, arrearages shall be satisfied using the same pro rata distribution procedure used for distributing current support, up to the applicable limitation.

8. No employer or other payor who complies with an order entered pursuant to this section shall be liable to the parent, or to any other person claiming rights derived from the parent, for wrongful withholding. An employer or other payor who fails or refuses to withhold or pay the amounts as ordered pursuant to this section shall be liable to the party holding the support rights in an amount equal to the amount which became due the parent during the relevant period and which, pursuant to the order, should have been withheld and paid over. The director is hereby authorized to bring an action in circuit court to determine the liability of an employer or other payor for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the employer in an amount not to exceed five hundred dollars. The court may also enter a judgment against the employer for the amounts to be withheld or paid, court costs and reasonable attorney's fees.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the obligated parent in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed one hundred fifty dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's fees, and for the amount of child support which should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If an obligor for whom an order to withhold has been issued pursuant to subsection 1 of this section terminates the obligor's employment, the employer shall, within ten days of the termination, notify the division of the termination, shall provide to the division the last known address of the obligor, if known to the employer, and shall provide to the department the name and address of the obligor's new employer, if known. When the department determines the identity of the obligor's new employer, the director shall issue an order to the new employer as provided in subsection 1 of this section.

12. If an employer or other payor is withholding amounts for more than one order issued pursuant to subsection 1 of this section, the employer or other payor may transmit all such withholdings which are to be remitted to the same circuit clerk or other collection unit as one payment together with a separate list identifying obligors for whom a withholding has been made and the amount withheld from each obligor so listed, and the withholding date or dates for each obligor.

13. For purposes of this section, "income" means any periodic form of payment due to an individual, regardless of source, including wages, salaries, commissions, bonuses, worker's compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

14. The employer shall withhold funds as directed in the notice, except if an employer receives an income withholding order issued by another state, the employer shall apply the income withholding law of the state of the obligor's principal place of employment in determining:

(1) The employer's fee for processing an income withholding order;

(2) The maximum amount permitted to be withheld from the obligor's income;

(3) The time periods within which the employer shall implement the income withholding order and forward the child support payments;

(4) The priorities for withholding and allocating income withheld for multiple child support obligees; and

(5) Any withholding terms and conditions not specified in the order.

15. If the secretary of the Department of Health and Human Services promulgates a final standard format for an employer income withholding notice, the director shall use such notice prescribed by the secretary.

454.999. The provisions of sections 210.822 and 210.834, RSMo, shall apply to a proceeding pursuant to sections 454.850 to 454.997, but no other provisions of sections 210.817 to 210.852, RSMo, shall apply.

454.1031. All penalties that apply to an obligor in sections 454.1000 to 454.1029 shall also apply to any person who has, without good cause as determined by a court with jurisdiction, denied or interfered with any order for visitation or custody for two or more consecutive periods. Any such penalties shall be imposed by a court with jurisdiction, and may be modified or vacated by the court for good cause shown, and the division shall have no jurisdiction over such matters.".

On motion of Representative Green, House Amendment No. 5 was adopted.

Representative Dougherty offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 and 1310, Page 8, Section 452.302, Lines 18 to 20 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"**(5) "Visitation", the time a third party spends with a child pursuant to a court order, or the time a noncustodial parent spends with a child pursuant to a court order issued prior to January 1, 1999.**".

On motion of Representative Dougherty, House Amendment No. 6 was adopted.

HCS HBs 972 & 1310, with HS, as amended, pending, was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

RESOLUTIONS

Representative Patek offered House Resolution No. 971 and House Resolution No. 972, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 973, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution No. 974 through House Resolution No. 987, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Enz and Murphy offered House Resolution No. 988 through House Resolution No. 1001, which were referred to the Committee on Miscellaneous Bills and Resolutions.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HB 1749 - Budget (Fiscal Note)

PERFECTION OF HOUSE BILL - INFORMAL

HCS HBs 972 & 1310, **with HS, as amended, pending**, relating to domestic relations, was again taken up by Representative Dougherty.

Representative Dougherty offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 and 1310, Page 61, Section 452.377, Lines 7 and 8 of said page, by deleting all of said lines and inserting in lieu thereof the following:

*"**Either parent or any third party having legal custody of, or parenting time or visitation with a child** shall not change the residence of the".*

On motion of Representative Dougherty, House Amendment No. 7 was adopted.

Representative Days offered House Amendment No. 8.

House Amendment No. 8 was withdrawn.

Representative Days offered House Amendment No. 8.

House Amendment No. 8

*AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 and 1310, Page 56, Section 452.375, Line 9 of said page, by deleting the word "**or**"; and*

*Further amend said bill, Page 56, Section 452.375, Line 11 of said page, by deleting the period "**.**" and inserting in lieu thereof a semicolon "**;**"; and*

Further amend said bill, Page 56, Section 452.375, Line 11 of said page, by inserting after all of said line the following:

*"**(6) If a court restricts a parent's parenting time or orders supervised contact, a showing of proof of treatment and rehabilitation shall be made to the court before unsupervised or unrestricted parenting time may be ordered.**".*

On motion of Representative Days, House Amendment No. 8 was adopted.

Representative Green offered House Amendment No. 9.

House Amendment No. 9

*AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 & 1310, Page 92, Section 1, Line 9 of said page, by inserting after the word "**time**" the following: "**until January 1, 2000**".*

On motion of Representative Green, House Amendment No. 9 was adopted.

Representative Smith offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill Nos. 972 & 1310, Page 17, Section 452.317, Line 3, by deleting lines 3 thru 22, page 17, and further amend by deleting lines 1 thru 22 on page 18, and further amend by deleting lines 1 thru 5 on page 19.

On motion of Representative Smith, House Amendment No. 10 was adopted.

Representative Hollingsworth offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bill Nos. 972 & 1310, Page 95, Section 6, Line

9, by inserting after all of said line the following:

"556.036. 1. A prosecution for murder or any class A felony may be commenced at any time.

2. Except as otherwise provided in this section, prosecutions for other offenses must be commenced within the following periods of limitation:

(1) For any felony, three years;

(2) For any misdemeanor, one year;

(3) For any infraction, six months.

3. If the period prescribed in subsection 2 has expired, a prosecution may nevertheless be commenced for:

(1) Any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has a legal duty to represent an aggrieved party and who is himself ***or herself*** *not a party to the offense, but in no case shall this provision extend the period of limitation by more than three years. As used in this subdivision, the term "person who has a legal duty to represent an aggrieved party" shall mean the attorney general or the prosecuting or circuit attorney having jurisdiction [under]* ***pursuant to*** *section 407.553, RSMo, for purposes of offenses committed [under]* ***pursuant to*** *sections 407.511 to 407.556, RSMo; and*

*(2) Any offense based upon misconduct in office by a public officer or employee at any time when the defendant is in public office or employment or within two years thereafter, but in no case shall this provision extend the period of limitation by more than three years[.]****; and***

(3) Any offense based upon an intentional and willful fraudulent claim of child support arrearage to a public servant in the performance of his or her duties within one year after discovery of the offense, but in no case shall this provision extend the period of limitation by more than three years.

4. An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing course of conduct plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated. Time starts to run on the day after the offense is committed.

5. A prosecution is commenced either when an indictment is found or an information filed.

6. The period of limitation does not run:

(1) During any time when the accused is absent from the state, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years; or

(2) During any time when the accused is concealing himself from justice either within or without this state; or

(3) During any time when a prosecution against the accused for the offense is pending in this state; or

(4) During any time when the accused is found to lack mental fitness to proceed pursuant to section 552.020, RSMo."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Hollingsworth, House Amendment No. 11 was adopted.

Representative Hollingsworth offered House Amendment No. 12.

House Amendment No. 12

*AMEND House Substitute for House Committee Substitute for House Bill Nos. 972 & 1310, Page 30, Section 452.340, Line 18, by deleting "eighteen" and inserting in lieu thereof "****sixteen****";*

*Further amend said section, page 31, line 1, by deleting "eighteenth" and inserting in lieu thereof "****sixteenth****";*

*Further amend said section, page 31, line 2, by deleting "eighteen" and inserting in lieu thereof "****sixteen****".*

On motion of Representative Hollingsworth, House Amendment No. 12 was adopted.

Representative Boucher offered House Amendment No. 13.

House Amendment No. 13

*AMEND House Substitute for House Committee Substitute for 972 & 1310, Page 80, Section 452.556, Line 17, by deleting "**an alternative format**" and inserting in lieu thereof "**braille, large print or audio format upon the request of a visually impaired or blind person**".*

Representative Boucher moved that House Amendment No. 13 be adopted.

Which motion was defeated by the following vote:

AYES: 052

Akin Bartelsmeyer Bartlett Bauer Bonner

Broach Chrismer Cierpiot Davis 63 Donovan

Elliott Enz Franklin Fritts Froelker

Gaskill Hagan-Harrell Hall Hartzler 124 Hendrickson

Howerton Kasten Kelley 47 Koller Mays 50

McBride McClelland Merideth Miller Monaco

Murphy Naeger Nordwald O'Toole Ostmann

Parker Patek Pryor Richardson Ross

Schilling Skaggs Smith Stroker Summers

Surface Thompson 72 Townley Treadway Vogel

Williams 121 Williams 159

NOES: 091

Alter Backer Ballard Barnett Barry 100

Bennett Berkstresser Bland Boatright Boucher

Bray 84 Burton Campbell Carter Champion

Clayton Cooper Crawford Daniel 42 Daniels 41

Davis 122 Days DeMarce Dougherty Evans

Farnen Fitzwater Foley Foster Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Harlan Hartzler 123 Heckemeyer

Hegeman Hickey Hilgemann Hohulin Hollingsworth

Hosmer Johnson Kauffman Kennedy Kissell

Kreider Lakin Lawson Legan Levin

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 McLuckie Murray Pouche

Purgason Ransdall Reinhart Relford Reynolds

Ridgeway Rizzo Robirds Sallee Scheve

Schwab Scott Seigfreid Shelton 57 Shields

Steen Stokan Stoll Thomason 163 Thompson 37

Troupe Van Zandt Wannenmacher Wiggins Wilson

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 019

Auer Copeland Crump Dolan Edwards-Pavia

Ford Gunn Holand Hoppe Kelly 27

Klindt Leake Liese O'Connor Overschmidt

Secrest Shear Sheldon 104 Mr. Speaker

VACANCIES: 001

Representative Riback Wilson offered House Amendment No. 14.

House Amendment No. 14

*AMEND House Substitute for House Committee Substitute for House Bill Nos. 972 & 1310, Page 80, Section 452.556, Line 17, by inserting after "**an alternative format**", "**including braille, large print, electronic or audio format, upon request.**".*

Representative Graham (24) offered House Substitute Amendment No. 1 for House Amendment No. 14.

House Substitute Amendment No. 1

for

House Amendment No. 14

*AMEND House Substitute for House Committee Substitute for House Bill Nos. 972 & 1310, Page 80, Section 452.556, Line 17, by inserting after the word "**format**" the following:*

*"**including braille, large print, electronic or audio format, upon request by a person with a disability as defined by the Americans with Disabilities Act.**"*

On motion of Representative Graham (24), House Substitute Amendment No. 1 for House Amendment No. 14 was adopted.

Representative Campbell offered House Amendment No. 15.

House Amendment No. 15

*AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 & 1310, Page 47, Section 452.373, Line 11 of said page, by inserting immediately after the word "**children,**" the words "**and a designation of a residence for purposes of the child's attendance at public school, and**"; and*

*Further amend said bill, Page 47, Section 452.373, Line 20 of said page, by inserting immediately after the word "**plan**" the words "**designating joint or sole legal custody and**".; and*

Further amend House Substitute for House Committee Substitute for House Bill Nos. 972 & 1310, Page 7, Section

*452.302, Line 6 of said page, by inserting immediately after the word "**children,**" the words "**and a designation of a residence for purposes of the child's attendance at public school, and**"; and*

*Further amend said bill, Page 7, Section 452.302, Line 15 of said page, by inserting immediately after the word "**plan**" the words "**designating joint or sole legal custody and**".*

On motion of Representative Campbell, House Amendment No. 15 was adopted.

Representative DeMarce offered House Amendment No. 16.

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for House Bill Nos. 972 & 1310, Page 79, Section 452.552, Line 4, by deleting all of sections 452.552 and 452.554 at lines 4 through 22.

Representative DeMarce moved that House Amendment No. 16 be adopted.

Which motion was defeated by the following vote:

AYES: 062

Auer Backer Barry 100 Bauer Bonner

Campbell Clayton Davis 122 Davis 63 DeMarce

Farnen Fitzwater Franklin Fritts Froelker

Gaston Graham 24 Gratz Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hollingsworth Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Liese Lograsso Loudon Luetkenhaus

May 108 McBride McClelland Merideth Monaco

Murphy Murray Overschmidt Parker Pryor

Purgason Relford Ridgeway Rizzo Ross

Scheve Seigfreid Shields Smith Stoll

Summers Thomason 163 Thompson 72 Townley Wiggins

Williams 121 Williams 159

NOES: 080

Akin Alter Ballard Barnett Bartelsmeyer

Bartlett Bennett Berkstresser Bland Boatright

Boucher Bray 84 Broach Burton Carter

Champion Chrismer Cierpiot Cooper Crawford

Crump Daniel 42 Days Dolan Donovan

Dougherty Elliott Enz Evans Foley

Foster Gibbons Graham 106 Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hendrickson Hickey Hilgemann Hohulin Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Legan Levin Linton Long Marble

Mays 50 McLuckie Miller Naeger Nordwald

O'Toole Ostmann Pouche Ransdall Reinhart

Reynolds Robirds Sallee Schilling Schwab

Scott Shelton 57 Steen Stroker Surface

Van Zandt Vogel Wannenmacher Wilson Wooten

PRESENT: 002

Thompson 37 Troupe

ABSENT WITH LEAVE: 018

Copeland Daniels 41 Edwards-Pavia Ford Gaskill

Holand Hoppe Leake O'Connor Patek

Richardson Secrest Shear Sheldon 104 Skaggs

Stokan Treadway Mr. Speaker

VACANCIES: 001

Representative Dougherty offered House Amendment No. 17.

House Amendment No. 17

*AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 & 1310, Page 5, Section 452.300, Line 5 of said page, by inserting after the word, "**who**" the words "**is required to file or**".*

On motion of Representative Dougherty, House Amendment No. 17 was adopted.

Representative Monaco offered House Amendment No. 18.

House Amendment No. 18

AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 & 1310, Page 38, Section 452.355, Lines 14 to 16 of said page, by deleting all of said lines and inserting in lieu thereof the following: "may order that the amount be paid directly to the attorney, who may".

On motion of Representative Monaco, House Amendment No. 18 was adopted.

Representative Boatright offered House Amendment No. 19.

House Amendment No. 19

AMEND House Substitute for House Committee Substitute for House Bill Nos. 972 & 1310, Page 11, Section 452.310, Line 4, by inserting after all of said line, the following:

*"**When receiving a petition in a proceeding for legal separation, the court will notify the petitioner and respondent that the general assembly finds and declares that it is the public policy of this state to encourage chastity before marriage, faithfulness in marriage and marriage is a commitment for life, and that both parents are responsible for rearing and nurturing their children**";*

On motion of Representative Boatright, House Amendment No. 19 was adopted.

Representative Days offered House Amendment No. 20.

House Amendment No. 20

AMEND House Substitute for House Committee Substitute for House Bill Nos. 972 & 1310, Page 55, Section 452.375, Line 14, by adding at the end of the line the following:

*"**a pattern of behavior which would endanger the child's physical health; or**"*

further amend page 55, line 20, after the word "child" insert the following:

*"**including but not limited to**"; and*

further amend page 55, line 20, by deleting the word "if".

On motion of Representative Days, House Amendment No. 20 was adopted.

Representative Smith offered House Amendment No. 21.

House Amendment No. 21

AMEND House Substitute for House Committee Substitute for House Bills Nos. 972 & 1310, Page 1, In the Title, Line 5 of said page, by inserting immediately after the number "452.416," the number "452.420,"; and

Further amend said bill, Page 1, In the Title, Line 10 of said page, by deleting the word "thirty-nine" and inserting in lieu thereof the word "forty"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by inserting immediately after the number "452.416," the number "452.420,"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by deleting the word "thirty-nine" and inserting in lieu thereof the word "forty"; and

Further amend said bill, Page 2, Section A, Line 3 of said page, by inserting immediately after the number "452.416," the number "452.420,"; and

Further amend said bill, Page 79, Section 452.416, Line 3 of said page, by inserting after all of said line the following:

*"452.420. All proceedings authorized in chapter 452 to be maintained in circuit court shall be heard by circuit judges, except that said proceedings may be heard by an associate circuit judge **or commissioner** if he **or she** is assigned to hear such case or class of cases or if he **or she** is transferred to hear such case or class of cases pursuant to other provisions of law or section 6 of article V of the constitution.".*

On motion of Representative Smith, House Amendment No. 21 was adopted.

Representative Ladd Stokan offered House Amendment No. 22.

House Amendment No. 22

*AMEND House Substitute for House Committee Substitute for House Bill Nos. 972 & 1310, Page 59, Line 20, by adding the words "**For purposes of a child support order as required by the supreme court child support guidelines only, the court shall designate a parent or third party who receives support**" after the word "child".*

On motion of Representative Ladd Stokan, House Amendment No. 22 was adopted.

***HCS HBs 972 & 1310, with HS, as amended, pending**, was laid over.*

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 143

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kennedy Kissell Klindt Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Long Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Wilson Wooten

NOES: 000

PRESENT: 001

Reynolds

ABSENT WITH LEAVE: 018

Cierpiot Copeland Gaskill Hall Holand

Kelly 27 Koller Lograsso Loudon O'Connor

Scott Secrest Seigfreid Shear Sheldon 104

Treadway Williams 159 Mr. Speaker

VACANCIES: 001

MOTION

*Representative Gratz, having voted on the prevailing side, moved that the vote by which **HB 1381** was Third Read and defeated, be reconsidered.*

Which motion was adopted by the following vote:

AYES: 088

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Clayton Copeland Crawford Crump

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dougherty Farnen Fitzwater Foley Ford

Franklin Fritts Gaskill Graham 24 Gratz

Green Gunn Hagan-Harrell Harlan Hartzler 123

Heckemeyer Hickey Hilgemann Hollingsworth Hoppe

Hosmer Johnson Kauffman Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Liese Luetkenhaus May 108 Mays 50

McBride McLuckie Merideth Monaco Murray

O'Toole Overschmidt Parker Ransdall Relford

Reynolds Rizzo Scheve Schilling Seigfreid

Sheldon 104 Shelton 57 Skaggs Smith Stokan
Stoll Stroker Thomason 163 Thompson 37 Thompson 72
Treadway Troupe Van Zandt Wiggins Williams 121
Williams 159 Wilson Mr. Speaker

NOES: 066

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Burton
Champion Chrismer Cierpiot Cooper Daniel 42
Dolan Donovan Edwards-Pavia Elliott Enz
Evans Foster Froelker Gaston Gibbons
Graham 106 Griesheimer Gross Hartzler 124 Hegeman
Hendrickson Hohulin Holand Howerton Kelley 47
Klindt Legan Levin Linton Long
Marble McClelland Miller Murphy Naeger
Nordwald Ostmann Patek Pouche Pryor
Purgason Reinhart Richardson Ridgeway Robirds
Ross Sallee Schwab Shields Steen
Summers Surface Townley Vogel Wannenmacher
Wooten

PRESENT: 000

ABSENT WITH LEAVE: 008

Hall Kasten Lograsso Loudon O'Connor
Scott Secrest Shear

VACANCIES: 001

Representative Smith assumed the Chair.

On motion of Representative Fritts, ***HB 1381*** *was read the third time and passed by the following vote:*

AYES: 082

Auer Backer Barry 100 Bartlett Bland
Bonner Boucher Bray 84 Campbell Carter
Clayton Copeland Crump Daniels 41 Davis 122
Davis 63 Days DeMarce Dougherty Farnen
Fitzwater Foley Franklin Fritts Graham 24
Gratz Green Gunn Hagan-Harrell Harlan

Hartzler 123 Heckemeyer Hickey Hilgemann Hollingsworth

Hoppe Hosmer Johnson Kauffman Kelly 27

Kennedy Kissell Koller Kreider Lakin

Lawson Leake Liese Luetkenhaus May 108

Mays 50 McBride McLuckie Merideth Monaco

Murray O'Toole Overschmidt Parker Ransdall

Relford Reynolds Rizzo Scheve Schilling

Seigfreid Shelton 57 Skaggs Smith Stokan

Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Treadway Van Zandt Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 065

Akin Alter Ballard Barnett Bartelsmeyer

Bauer Bennett Berkstresser Boatright Broach

Burton Champion Chrismer Cierpiot Cooper

Crawford Donovan Edwards-Pavia Enz Evans

Foster Froelker Gaston Gibbons Graham 106

Griesheimer Gross Hartzler 124 Hegeman Hendrickson

Hohulin Holand Kasten Klindt Legan

Levin Linton Long Loudon McClelland

Miller Murphy Naeger Nordwald Ostmann

Patek Pouche Pryor Purgason Reinhart

Richardson Ridgeway Robirds Ross Sallee

Schwab Sheldon 104 Shields Steen Summers

Surface Townley Vogel Wannenmacher Wooten

PRESENT: 001

Ford

ABSENT WITH LEAVE: 014

Daniel 42 Dolan Elliott Gaskill Hall

Howerton Kelley 47 Lograsso Marble O'Connor

Scott Secrest Shear Troupe

VACANCIES: 001

Representative Smith declared the bill passed.

On motion of Representative Parker, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

Representative Ridgeway requested a verification of the roll call on Third Reading and Final Passage of ***HB 1381****.*

The emergency clause was defeated by the following vote:

AYES: 076

Auer Backer Barry 100 Bartlett Bauer
Bland Bonner Boucher Bray 84 Campbell
Carter Clayton Copeland Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Farnen Fitzwater Foley Fritts Gaskill
Graham 24 Gratz Gunn Hagan-Harrell Harlan
Hartzler 123 Heckemeyer Hilgemann Hollingsworth Hoppe
Johnson Kauffman Kelly 27 Kennedy Kissell
Kreider Lawson Leake Liese Luetkenhaus
May 108 Mays 50 McLuckie Monaco Murray
O'Toole Overschmidt Parker Ransdall Relford
Reynolds Rizzo Scheve Schilling Seigfreid
Shelton 57 Skaggs Smith Stokan Stoll
Stroker Thomason 163 Thompson 37 Thompson 72 Treadway
Troupe Van Zandt Wiggins Williams 121 Williams 159
Wilson

NOES: 064

Akin Alter Ballard Barnett Bartelsmeyer
Berkstresser Boatright Broach Burton Champion
Chrismer Cooper Crawford Dolan Donovan
Edwards-Pavia Elliott Enz Evans Foster
Froelker Gaston Gibbons Graham 106 Griesheimer
Hartzler 124 Hegeman Hendrickson Hohulin Holand
Hosmer Howerton Kasten Klindt Legan
Levin Linton Long Loudon Marble
McClelland Merideth Miller Murphy Naeger
Nordwald Ostmann Patek Pouche Pryor

Purgason Reinhart Ridgeway Robirds Ross

Sallee Schwab Sheldon 104 Shields Steen

Surface Townley Vogel Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 022

Bennett Cierpiot Dougherty Ford Franklin

Green Gross Hall Hickey Kelley 47

Koller Lakin Lograsso McBride O'Connor

Richardson Scott Secrest Shear Summers

Wooten Mr. Speaker

VACANCIES: 001

PERFECTION OF HOUSE BILL

***HCS HB 1643**, relating to long-term care insurance, was taken up by Representative Monaco.*

Representative Monaco offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1643, Page 2, Section 376.956, Line 22, by inserting after the word "upon" the following:

"the Standards of the National Association of Insurance Commissioners (NAIC) Shopper's Guide"; and

further amend said section by deleting the words "complaint" on line 22 through the word "indicators" on line 23 of subsection 4.

On motion of Representative Monaco, House Amendment No. 1 was adopted.

*On motion of Representative Monaco, **HCS HB 1643, as amended,** was adopted.*

*On motion of Representative Monaco, **HCS HB 1643, as amended,** was ordered perfected and printed.*

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

***HB 1948**, introduced by Representative Levin, relating to scenic byways.*

COMMITTEE REPORTS

***Committee on Agri-Business**, Chairman Williams (159) reporting:*

*Mr. Speaker: Your Committee on Agri-Business, to which was referred **SB 945**, begs leave to report it has examined the same and recommends that it **Do Pass.***

***Committee on Education - Elementary and Secondary**, Chairman Stoll reporting:*

*Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **SCS SB 753**, begs leave to report it has examined the same and recommends that it **Do Pass.***

*Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **SS SCS SB 781**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.***

***Committee on Insurance**, Chairman Auer reporting:*

*Mr. Speaker: Your Committee on Insurance, to which was referred **SCS SB 722**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.***

***Committee on Local Government and Related Matters**, Chairman Hoppe reporting:*

*Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 743**, begs leave to report it has examined the same and recommends that it **Do Pass.***

*Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 800**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.***

***Committee on Miscellaneous Bills and Resolutions**, Chairman Foley reporting:*

*Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SB 615**, begs leave to report it has examined the same and recommends that it **House Committee Substitute Do Pass.***

***Committee on Motor Vehicle and Traffic Regulations**, Chairman Thomason (163) reporting:*

*Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 498**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.***

***Committee on Municipal Corporations**, Chairman Shelton (57) reporting:*

*Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **SB 629**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.***

***Committee on Transportation**, Chairman Koller reporting:*

*Mr. Speaker: Your Committee on Transportation, to which was referred **SB 487**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.***

LETTER OF OBJECTION

April 21, 1998

Chief Clerk Anne Walker

Office of Chief Clerk

House of Representatives

Jefferson City, MO 65101

Dear Chief Clerk Walker:

Please find here five signatures pursuant to Rule 48(b) of the Missouri House of Representatives Rules book. Our signatures here indicate our position that ***HCS SCS SB 610 & 835*** *shall not be a consent bill.*

/s/ Joseph L. Treadway Dist. No. 96

/s/ James M. Foley Dist. No. 81

/s/ Bill Luetkenhaus Dist. No. 12

/s/ Jon Dolan Dist. No. 13

/s/ Brent Evans Dist. No. 92

Please note our objection and proceed with action outlined in Rule 48(b).

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated pursuant to Rule 48:

HCS SCS SB 610 & 835 *- Rules, Joint Rules and Bills Perfected*

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***SS SB 478****, entitled:*

An act to repeal sections 217.710 and 571.030, RSMo Supp. 1997, relating to probation and parole officers, and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***SCS SBs 515 & 783****, entitled:*

An act relating to the civil commitment of sexual predators.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***SCS SB 523****, entitled:*

An act to amend chapter 355, RSMo, by adding thereto thirteen new sections relating to transfers of assets by nonprofit hospitals, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***SS SCS SB 651****, entitled:*

An act to repeal sections 104.540, 210.826, 210.830, 452.150, 452.310, 452.355, 452.377, 452.405, 452.411, 452.416, 452.600, 452.605 and 454.432, RSMo 1994, and sections 193.215, 210.109, 210.822, 287.820, 452.340, 452.375, 452.400, 452.423, 452.490, 454.390, 454.408, 454.413, 454.440, 454.455, 454.460, 454.490, 454.505 and 476.688,

RSMo Supp. 1997, relating to child custody and child support proceedings, and to enact in lieu thereof thirty-eight new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***SB 751****, entitled:*

An act to amend chapter 135, RSMo, by adding thereto one new section relating to economic incentives for the entertainment industry administered by the department of economic development.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***SS SB 792****, entitled:*

An act to repeal sections 408.100, 408.200, 408.232 and 408.233, RSMo 1994, and section 408.140, RSMo Supp. 1997, relating to financial transactions, and to enact in lieu thereof six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, April 22, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-seventh Day, Monday, April 20, 1998, page 1108, roll call, by showing Representatives Berkstresser and Purgason voting "aye" rather than "absent with leave".

Page 1111, roll call, by showing Representative Fritts voting "aye" rather than "absent with leave".

Page 1113, roll call, by showing Representative Shields voting "aye" rather than "absent with leave".

Pages 1114 and 1115, roll call, by showing Representative Bartelsmeyer voting "aye" rather than "absent with leave".

Pages 1116 and 1117, roll call, by showing Representatives Fritts and Gross voting "aye" rather than "absent with leave".

Pages 1118 and 1119, roll call, by showing Representatives Bonner and Davis (63) voting "aye" rather than "absent with leave".

Pages 1119 and 1120, roll call, by showing Representatives Bonner, Gross and Reynolds voting "aye" rather than "absent with leave".

Pages 1120 and 1121, roll call, by showing Representatives Bartelsmeyer and Kauffman voting "aye" rather than "absent with leave".

Page 1126, roll call, by showing Representatives Berkstresser and Summers voting "aye" rather than "absent with leave".

Pages 1126 and 1127, roll call, by showing Representative Dolan voting "present" rather than "absent with

leave".

Page 1128, roll call, by showing Representatives Kelly (27), Kennedy and Stokan voting "aye" rather than "absent with leave".

Page 1129, roll call, by showing Representative Stokan voting "aye" rather than "absent with leave".

Page 1130, roll call, by showing Representatives Ballard, Kauffman, Purgason and Stokan voting "aye" rather than "absent with leave".

Page 1131, roll call, by showing Representatives Kelly (27) and Stokan voting "aye" rather than "absent with leave".

Page 1134, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Page 1135, roll call, by showing Representative Hilgemann voting "aye" rather than "absent with leave".

Pages 1136 and 1137, roll call, by showing Representative Summers voting "aye" rather than "absent with leave".

Page 1137, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Page 1138, roll call, by showing Representatives Kennedy and Williams (121) voting "aye" rather than "absent with leave".

Page 1139, roll call, by showing Representatives Kelley (47) and Levin voting "aye" rather than "absent with leave".

Page 1141, roll call, by showing Representative Williams (121) voting "aye" rather than "absent with leave".

Page 1142, roll call, by showing Representative Crawford voting "aye" rather than "absent with leave".

Page 1143, roll call, by showing Representative Lawson voting "aye" rather than "absent with leave".

Page 1151, roll call, by showing Representative Fritts voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Wednesday, April 22, 1998, 1:00 pm. Hearing Room 5.

AGRICULTURE

Wednesday, April 22, 1998. Hearing Room 9 upon morning adjournment.

To be considered - Executive Session - SB 596

BUDGET

Wednesday, April 22, 1998, 8:30 am. Hearing Room 9. Possible executive

session on bills in budget.

To be considered - HJR 55, HB 1537, HB 1822, HB 1051, HB 964

ENVIRONMENT AND ENERGY

Thursday, April 23, 1998, 9:00 am. Hearing Room 6. Executive session.

UTILITIES REGULATION

Thursday, April 23, 1998, 8:30 am. Hearing Room 8. Executive session to follow.

To be considered - SB 627

WAYS AND MEANS

Wednesday, April 22, 1998, 1:45 pm. Hearing Room 6. Executive session.

HOUSE CALENDAR

Fifty-ninth Day, Wednesday, April 22, 1998

HOUSE BILL FOR SECOND READING

HB 1948

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 35 - Parker

HCS HJR 53 - Backer

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1020 - Franklin

HOUSE BILLS FOR PERFECTION

1 HCS HB 1736 - Riback Wilson

2 HCS HB 1626 - Thomason (163)

3 HCS HB 1891 - Crump

4 HB 1782 - Kennedy

5 HCS HB 1488 - Williams (121)

6 HCS HB 1124 - Shear

7 HB 1796, HCA 1 - Harlan

8 HB 1380 - Kreider

9 HB 962 - Backer

10 HB 1202 - Bartlett

11 HCS HB 1138 - Leake

12 HCS HB 907 - Hosmer

13 HCS HB 1375 - May (108)

14 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

15 HB 958 - Liese

16 HCS HB 1153 - Backer

17 HCS HB 1534 - Graham (24)

18 HCS HB 1277 & 900 - Gunn

19 HCS HB 924 - McLuckie

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

HCS HB 1674, HS #2, as amended, pending, - Rizzo

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1258, (Budget Fiscal 4-6-98) - Bland

3 HCS HB 1537, (Budget Fiscal 4-14-98) - Troupe

4 HS HCS HB 1051 & 1276, (Budget Fiscal 4-16-98) - May (108)

5 HCS HB 964, (Budget Fiscal 4-20-98) - Barry

6 HS HCS HB 1749, (Budget Fiscal 4-21-98) - Ladd Stokan

HOUSE BILL FOR THIRD READING - INFORMAL

HB 1610, - DeMarce - (CONSENT)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HB 1822, E.C.(Budget Fiscal 4-15-98) - Kelly (27)

SENATE BILLS FOR SECOND READING

1 SS SB 478

2 SCS SB 515 & 783

3 SCS SB 523

4 SS SCS SB 651

5 SB 751

6 SS SB 792

SENATE BILLS FOR THIRD READING - CONSENT

1 SB 870 - Schilling

2 SCS SB 649 - Luetkenhaus

3 SB 828 - Rizzo

4 SB 829 - Rizzo

5 SB 551 - Cooper

6 HCS SB 839 - Luetkenhaus

7 SB 884 - Gratz

8 SB 940 - Stoll

9 HCS SB 739 - Stoll

(April 16, 1998)

10 HCS SB 786 - Monaco

11 SCS SB 470 - Smith

12 SB 701 - Overschmidt

13 SB 861 - Leake

14 SB 719 - Monaco

15 SB 819 - Hoppe

16 SB 631 - Smith

17 SB 793 - Purgason

18 HCS SB 809 - Hoppe

19 HCS SB 676 - Pouche

20 SB 900 - Smith

21 HCS SB 778 - Hoppe

22 SB 517 - Klindt

23 HCS SB 898 - Hoppe

24 SCS SB 496 - Gibbons

25 HCS SB 844, E.C. - May (108)

26 SCS SB 604 - Scott

27 HCS SB 963 - Evans

28 SB 558 - Van Zandt

29 HCS SB 526 - Berkstresser

30 SCS SB 536 - Williams (121)

31 HCS SB 970 - Leake

32 SCS SB 897 - Leake

33 SB 941 - Carter

34 HCS SCS SB 634, E.C. - Hosmer

35 SCS SB 790 - May (108)

SENATE BILLS FOR THIRD READING

1 HCS SB 883, (Budget Fiscal 4-20-98) - Koller

2 SS#2 SCS SB 632, (Budget Fiscal 4-20-98) - Lakin

3 SB 473 - Rizzo

4 HCS SS SB 724 - Wilson

5 HCS SB 854 - Relford

6 SB 945 - Thomason (163)

7 HCS SB 487 - Auer

HOUSE BILLS WITH SENATE AMENDMENTS

1 SCS HCS HB 1002 - Lakin

2 SCS HCS HB 1003, as amended - Lakin

3 SCS HCS HB 1004, as amended - Green

4 SCS HCS HB 1005 - Green

5 SCS HCS HB 1006, as amended - Scheve

6 SCS HCS HB 1007, as amended - Scheve

7 SCS HCS HB 1008 - Lakin

8 SCS HCS HB 1009 - Troupe

9 SCS HCS HB 1010, as amended - Carter

10 SCS HCS HB 1011, as amended - Troupe

11 SCS HCS HB 1012 - Lakin/Green

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

HR 325, (April 9, 1998, pg. 1001) - Harlan



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House Journal

Second Regular Session, 89th General Assembly

FIFTY-NINTH DAY, Wednesday, April 22, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"Maintain the right of the afflicted and the destitute. Rescue the weak and the needy...from the hand of the wicked." (Ps. 82:3-4).

Today is Secretaries Day which causes some confusion and ambivalence and a heightened awareness in our society as we deal with the end of discrimination in the work force and we re-define the job descriptions and increase our sensitivity about human rights and dignity.

Whatever the title or the job description, Gracious God, we offer a special word of support and prayer today for our support staff whose competence and reliability are so much responsible for the smooth operations of the House. Increase our sensitivity and awareness, keep us aware of those boorish moments so they are lessened and all forms of taking others for granted or treating them as less than full human persons are eliminated from our lives.

We also lift up a word of prayer today in honor of yesterday's observance of mental health awareness day here in the Capitol. Bless the research, the patients with mental illness, their family members and those who care for them medically. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lauren Vickers, Dan Doerflinger, Lisa O'Donnell, Justin Patrick, Shelli Shanks, Brennan Delaney, Sally Frede, Zeke Hughes, Diana Dakan, Melissa Taylor, Kandi Kepner, Shauna Porter, Sarah Walters, Matt Lundergan, Christy Leath, Kerry Richardson, Ryan Nyhoff, Michael Boyle, Elisabeth Ryan, Gabriel Myers, Ashley Myers, Charlie Pain, Lacey Shilt, Justin Grout, Ryan Grout, Mark Vollrath, Valerie Jennings, Brandi Anstine, Clayton Kennedy, Justin Twenter, Bethany Samer, Abbi Christina Corcoran, Megan Findley and Joey Pate.

The Journal of the fifty-eighth day was approved as corrected.

Speaker Gaw assumed the Chair.

RESOLUTIONS

Representative Clayton offered House Resolution No. 1002, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Seigfreid offered House Resolution No. 1003, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kreider offered House Resolution No. 1004, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution No. 1005 and House Resolution No. 1006, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Davis (63) offered House Resolution No. 1007, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gratz and Vogel offered House Resolution No. 1008, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution No. 1009, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Thomason (163) offered House Concurrent Resolution No. 27.

SECOND READING OF HOUSE BILL

HB 1948 was read the second time.

SECOND READING OF SENATE BILLS

SS SB 478, SCS SBs 515 & 783, SCS SB 523, SS SCS SB 651, SB 751 and **SS SB 792** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **SCS HB 1480**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1749**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HB 964 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1051 & 1276 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HB 1537 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1822 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution No. 894** through **House Resolution No. 974**, begs leave to report it has examined the same and recommends that they **Do Pass**.

Speaker Pro Tem Kreider resumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1002, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1002** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1003, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1003, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1004, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1004, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1005, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1005** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1006, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1006, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1007, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1007, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1008, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1008** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1009, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1009** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1010, as amended, relating to appropriatons, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1010, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1011, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1011, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1012, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1012** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Gaw resumed the Chair.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HB 1822, relating to child adoption and placement, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **HB 1822** was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Daniel 42 Franklin Hall Kissell Pryor

Shear Sheldon 104 Shields Troupe

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 146

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Ransdall Reinhart Relford Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Shelton 57 Shields Skaggs Smith Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 72 Treadway Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 006

Edwards-Pavia Hohulin Lograsso Purgason Steen
Townley

PRESENT: 000

ABSENT WITH LEAVE: 010

Daniel 42 Hall Harlan Pryor Reynolds

Richardson Shear Sheldon 104 Thompson 37 Troupe

VACANCIES: 001

On motion of Representative Bonner, title to the bill was agreed to.

Representative Copeland moved that the vote by which the bill passed be reconsidered.

Representative DeMarce moved that motion lay on the table.

The latter motion prevailed.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **SCS HB 1480** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SCS HB 1480** was delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SB 832, SB 917, SB 580, SB 766, SB 695, SB 597, SB 658, SB 642, SB 488, SB 537, SCS SB 652, SCS SB 684, SB 720, SB 764, SCS SB 820, SB 918, SB 928 and SB 961,** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

THIRD READING OF HOUSE BILLS

HCS HB 1537, relating to welfare to work protection act, was taken up by Representative Troupe.

On motion of Representative Troupe, **HCS HB 1537** was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner Fritts Froelker Hall Pryor

Secrest Shear Sheldon 104 Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Ransdall moved that the vote by which the bill passed be reconsidered.

Representative Stokan moved that motion lay on the table.

The latter motion prevailed.

HS HCS HBs 1051 & 1276, relating to claims against the state, was taken up by Representative May (108).

On motion of Representative May (108), **HS HCS HBs 1051 & 1276** was read the third time and passed by the following vote:

AYES: 087

Alter Auer Backer Barry 100 Bartlett

Bauer Bland Bonner Boucher Bray 84

Campbell Carter Champion Cierpiot Clayton

Crump Daniel 42 Davis 122 Davis 63 Days

DeMarce Dolan Dougherty Farnen Fitzwater

Foley Ford Franklin Fritts Graham 24

Green Gunn Hagan-Harrell Harlan Heckemeyer

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Johnson Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Liese Lograsso Luetkenhaus May 108 Mays 50

McBride McLuckie Monaco Murray Nordwald

O'Connor O'Toole Overschmidt Parker Relford

Reynolds Ridgeway Rizzo Ross Scheve

Schilling Seigfreid Smith Stokan Stoll

Stroker Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Wannenmacher Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 069

Akin Ballard Barnett Bartelsmeyer Berkstresser

Boatright Broach Burton Chrismer Cooper

Copeland Crawford Daniels 41 Donovan Edwards-Pavia

Elliott Enz Evans Foster Froelker

Gaskill Gaston Gibbons Graham 106 Gratz

Griesheimer Gross Hartzler 123 Hartzler 124 Hegeman

Hohulin Howerton Kasten Kauffman Kelley 47

Klindt Leake Legan Levin Linton

Long Loudon Marble McClelland Merideth

Miller Murphy Naeger Ostmann Patek

Pouche Purgason Ransdall Reinhart Richardson

Robirds Sallee Schwab Scott Secrest

Shelton 57 Shields Steen Summers Surface

Townley Vogel Wiggins Wooten

PRESENT: 000

ABSENT WITH LEAVE: 006

Bennett Hall Pryor Shear Sheldon 104

Skaggs

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hosmer, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Barry moved that motion lay on the table.

The latter motion prevailed.

HCS HB 964, relating to health insurance, was taken up by Representative Barry.

On motion of Representative Barry, **HCS HB 964** was read the third time and passed by the following vote:

AYES: 141

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bonner Bray 84 Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Cooper Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Farnen Fitzwater Foley Ford Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Green Griesheimer Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Pouche Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 159 Wilson Wooten
Mr. Speaker

NOES: 008

Bland Boatright Crawford Foster Gross
Loudon Murphy Patek

PRESENT: 000

ABSENT WITH LEAVE: 013

Bennett Boucher Clayton Evans Gratz
Hall Hohulin Luetkenhaus Pryor Shear
Sheldon 104 Thompson 37 Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS - CONSENT

SB 870, relating to employment of mental health professionals, was taken up by Representative Schilling.

On motion of Representative Schilling, **SB 870** was truly agreed to and finally passed by the following vote:

AYES: 141

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Cooper Copeland
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Green
Griesheimer Gross Gunn Hagan-Harrell Harlan
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Long Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Shelton 57
Shields Skaggs Smith Steen Stokan
Stroker Summers Surface Thomason 163 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 002

Hartzler 123 Robirds

PRESENT: 000

ABSENT WITH LEAVE: 019

Bennett Clayton Crawford Crump Daniel 42
Franklin Gratz Hall Hohulin Kissell
Lograsso Loudon Luetkenhaus Pryor Shear
Sheldon 104 Stoll Thompson 37 Wiggins

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bauer, title to the bill was agreed to.

Representative Bartlett moved that the vote by which the bill passed be reconsidered.

Representative Carter moved that motion lay on the table.

The latter motion prevailed.

SCS SB 649, relating to physically disabled license plates, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SCS SB 649** was truly agreed to and finally passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gunn

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Bennett Clayton Dolan Franklin Gross

Hagan-Harrell Hall Loudon Murphy Pryor

Rizzo Shear Sheldon 104 Stoll Troupe

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Graham (24) moved that motion lay on the table.

The latter motion prevailed.

SB 828, relating to international trade show revolving fund, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **SB 828** was truly agreed to and finally passed by the following vote:

AYES: 142

Alter Auer Backer Ballard Barnett

Barry 100 Bartlett Bauer Bland Boatright

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Cooper Copeland Crawford Crump Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Leake Levin Liese
Linton Lograsso Long Luetkenhaus Marble
May 108 McBride McClelland McLuckie Merideth
Miller Monaco Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Shelton 57
Shields Skaggs Smith Steen Stokan
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Akin Bartelsmeyer Bennett Berkstresser Clayton
Daniel 42 Franklin Fritts Hagan-Harrell Hall
Lawson Legan Loudon Mays 50 Murphy
Pryor Shear Sheldon 104 Stoll Troupe

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Kennedy, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

SB 829, relating to development agency definition, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **SB 829** was truly agreed to and finally passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Monaco Murphy
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Pouche Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Shelton 57 Shields Skaggs Smith
Steen Stokan Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Bennett Crump Franklin Hall Klindt

Loudon Miller Patek Pryor Shear

Sheldon 104 Stoll Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Luetkenhaus moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

SB 551, relating to public water supply district elections, was taken up by Representative Cooper.

On motion of Representative Cooper, **SB 551** was truly agreed to and finally passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Pouche Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Bennett Crump Franklin Hall Klindt

Loudon Miller Patek Pryor Shear

Sheldon 104 Stoll Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Wiggins, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

On motion of Representative Hollingsworth, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Natasha Trueblood, Jenny Sielaff, Kim Berry, Carissa Dawson, Bo Brown, Ashley Strating, Jami Longenecker and Daren Wells.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 137

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gibbons Graham 24 Gratz

Green Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Hendrickson Hickey Hilgemann

Hohulin Hollingsworth Hoppe Hosmer Howerton

Johnson Kauffman Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Levin Liese Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Secrest Seigfreid Sheldon 104 Shelton 57

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 002

Lograsso Reynolds

ABSENT WITH LEAVE: 023

Auer Cierpiot Copeland Donovan Gaston

Graham 106 Griesheimer Hall Heckemeyer Hegeman

Holand Kasten Kelley 47 Leake Legan

Linton McClelland O'Toole Pryor Scott

Shear Shields Wiggins

VACANCIES: 001

RESOLUTIONS

Representatives Vogel and Gratz offered House Resolution No. 1010, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Parker offered House Resolution No. 1011 through House Resolution No. 1013, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 1014, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1015, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Ostmann, Luetkenhaus and Dolan offered House Resolution No. 1016, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bauer offered House Resolution No. 1017, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Ostmann, Luetkenhaus and Dolan offered House Resolution No. 1018 and House Resolution No. 1019, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kasten offered House Resolution No. 1020, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelley (47) offered House Resolution No. 1021 through House Resolution No. 1027, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reynolds offered House Resolution No. 1028, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Patek offered House Resolution No. 1029 and House Resolution No. 1030, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Harlan offered House Resolution No. 1031, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stokan offered House Resolution No. 1032, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pryor offered House Resolution No. 1033, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shear offered House Resolution No. 1034, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fritts offered House Resolution No. 1035, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution No. 1036, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 1037, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Foley offered House Resolution No. 1038, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Edwards-Pavia offered House Resolution No. 904 which was read.

House Resolution No. 904

WHEREAS, the members of the Missouri House of Representatives take great pride in recognizing outstanding educators whose achievements have brought national acclaim to the Show-Me State; and

WHEREAS, Ms. H. Claire Conway, principal at Brennan Woods Elementary School in High Ridge, has been named Missouri's National Distinguished Principal for 1998, an honor bestowed upon her by the Missouri Association of Elementary School Principals (MAESP); and

WHEREAS, Ms. Conway has distinguished herself as principal at Brennan Woods Elementary School for the past nine years, prior to which she served the Northwest R-I School District as Director of Elementary Education, as principal at Murphy Elementary School, and as learning disabilities teacher; and

WHEREAS, an outstanding administrator who understands the importance of a solid, well-rounded education, Ms. Conway encourages parents and staff members to work together as a team and lends assistance as well as her expertise so that each child will be assured the finest in educational opportunity; and

WHEREAS, Ms. Conway has played an instrumental role in the development of such innovative programs as Class-Within-a Class and has supported the goals and objectives of the Big R Club, the school's Personal Responsibility Education Program; and

WHEREAS, Ms. Conway has earned a number of prestigious honors over the years, some of which include the Excellence in Education Award, the Junior Achievement Vision Award, and the Missouri DARE Educator of the Year Award; and

WHEREAS, Ms. Conway serves as president of the Jefferson County District of MAESP and holds membership in both the state and national DARE officers associations:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, join unanimously in extending hearty congratulations to Claire Conway at this proud moment of distinction in her illustrious teaching career and in wishing her continued great success as she pursues new avenues of challenge to touch the lives of this state's young citizens in a very positive and most meaningful way; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Ms. H. Claire Conway.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1001**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1643**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 694 - Miscellaneous Bills and Resolutions

HR 885 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 24 - Miscellaneous Bills and Resolutions

HCR 26 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1948 - Critical Issues

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 37 - Critical Issues

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SB 478 - Correctional and State Institutions

SCS SBs 515 & 783 - Civil and Administrative Law

SCS SB 523 - Critical Issues

SB 751 - Commerce

SS SB 792 - Banks and Financial Institutions

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 1020, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1020, Page 5, Section 20.106, Line 3, by deleting the word "landmark" in said line.

On motion of Representative Franklin, House Amendment No. 1 was adopted.

Speaker Gaw resumed the Chair.

Representative Troupe offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1020, Page 5, Section 20.107, Line 5, by adding after said line one new section to read as follows:

Section 20.108. To the Department of Natural Resources

For design, renovation, construction, and improvements of local parks

For Carondelet Park in St. Louis $330,000

For Fairgrounds Park in St. Louis 330,000

For O'Fallon Park in St. Louis 330,000

For Krug Park in St. Joseph 125,000

For St. Stanislaus Park in Hazelwood 78,000

For Penn Valley Park, Parade Park/Mutual Musicians Foundation Jazz

facility, Line Creek Park, Southmoreland Park, Brush Creek, and Lakewood

Greenway's Park in Kansas City 150,000

From General Revenue Fund $1,193,000

On motion of Representative Troupe, House Amendment No. 2 was adopted.

Representative Green offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1020, Page 1, Section 20.005, Lines 6-7, by deleting all of said lines; and

further amend said bill, page 2, Section 20.005, line 18, by deleting the amount $5,296,593 on said line and inserting in lieu thereof the amount $5,146,593.

Representative Heckemeyer offered House Substitute Amendment No. 1 for House Amendment No. 3.

House Substitute Amendment No. 1

for

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1020, Page 1, Section 20.005, Line 7, by deleting the amount $150,000 on said line and inserting in lieu thereof the amount $1,650,000; and

further amend said bill, page 2, Section 20.005, line 18, by deleting the amount $5,296,593 on said line and inserting in lieu thereof the amount $6,796,593; and

further amend said bill, page 7, line 5, by deleting the amount $1,000,000 and inserting in lieu thereof the amount $600,000.

On motion of Representative Heckemeyer, House Substitute Amendment No. 1 for House Amendment No. 3 was adopted.

Representative Parker offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1020, Page 4, Section 20.085, Line 4, by adding after said line one new section to read as follows:

Section 20.086. To the University of Missouri

For the planning, design, and construction of a multi-purpose facility at Wurdack farm

university extension at Cook Station

From General Revenue Fund $100,000

and further amend said bill, page 6, Section 20.131, lines 1-5, by deleting said lines and inserting in lieu thereof the following:

Section 20.131. There is transferred out of the State Treasury,

chargeable to the General Revenue Fund, Nine Hundred Thousand Dollars

($900,000) to the Missouri Arts Council Trust Fund as

authorized by Section 185.100 RSMo.

From General Revenue Fund $900,000

Representative Carter raised a point of order that House Amendment No. 4 amends previously amended material.

The Chair ruled the point of order untimely.

Representative Froelker offered House Amendment No. 1 to House Amendment No. 4.

House Amendment No. 1

to

House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for House Bill No. 1020, Page 6, Section 20.131, Line 5, by deleting the figure $900,000 and replacing it with the figure $500,000.

Representative Shields raised a point of order that House Amendment No. 1 to House Amendment No. 4 amends previously amended material.

Representative Monaco raised an additional point of order that House Amendment No. 1 to House Amendment No. 4 is in the third degree.

The Chair ruled the points of order not well taken.

On motion of Representative Froelker, House Amendment No. 1 to House Amendment No. 4 was adopted.

Representative Shields offered House Substitute Amendment No. 1 for House Amendment No. 4, as amended.

House Substitute Amendment No. 1

for

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1020, Page 4, Section 20.085, Line 4, by adding after said line one new section to read as follows:

Section 20.086. To the University of Missouri

For the planning, design, and construction of a multi-purpose facility at Wurdack farm

university extension at Cook Station

From General Revenue Fund $100,000

Representative Shields moved that House Substitute Amendment No. 1 for House Amendment No. 4, as amended, be adopted.

Which motion was defeated.

On motion of Representative Parker, House Amendment No. 4, as amended, was adopted by the following vote:

AYES: 096

Alter Backer Ballard Barnett Bartelsmeyer

Bartlett Bauer Berkstresser Bland Bonner

Boucher Broach Carter Clayton Copeland

Crawford Daniel 42 Daniels 41 Davis 122 DeMarce

Dolan Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Graham 106 Graham 24 Gratz Green

Gunn Hagan-Harrell Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hickey Hohulin Hollingsworth Hoppe

Hosmer Howerton Johnson Kelly 27 Kissell

Klindt Koller Kreider Lawson Leake

Legan Liese Luetkenhaus Marble May 108

McBride Merideth Miller Murray Naeger

O'Toole Overschmidt Parker Purgason Ransdall

Reinhart Relford Richardson Rizzo Sallee

Scheve Schwab Seigfreid Sheldon 104 Shelton 57

Skaggs Smith Stokan Stoll Summers

Thomason 163 Thompson 37 Townley Troupe Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wooten

Mr. Speaker

NOES: 056

Auer Barry 100 Bennett Boatright Bray 84

Burton Campbell Champion Cierpiot Cooper

Davis 63 Days Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Gibbons Griesheimer

Gross Harlan Hendrickson Hilgemann Holand

Kauffman Kelley 47 Kennedy Lakin Levin

Linton Lograsso Loudon Mays 50 McClelland

McLuckie Monaco Murphy Nordwald O'Connor

Ostmann Patek Pouche Reynolds Ridgeway

Robirds Ross Schilling Scott Secrest

Shields Stroker Surface Thompson 72 Van Zandt

Wilson

PRESENT: 000

ABSENT WITH LEAVE: 010

Akin Chrismer Crump Hall Kasten

Long Pryor Shear Steen Treadway

VACANCIES: 001

Representative Shelton (57) offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1020, Page 2, Section 20.005, Line 18, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 2, Section 20.010, Line 3, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 2, Section 20.015, Line 3, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 2, Section 20.020, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 2, Section 20.025, Line 3, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 2, Section 20.030, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 2, Section 20.040, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 3, Section 20.045, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 3, Section 20.050, Line 3, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 3, Section 20.055, Line 3, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 3, Section 20.060, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding from general revenue for this purpose shall not be available.)"; and

Further amend said bill, Page 3, Section 20.065, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 3, Section 20.070, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 3, Section 20.075, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 4, Section 20.080, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 4, Section 20.085, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 4, Section 20.090, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 4, Section 20.091, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 4, Section 20.092, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 4, Section 20.095, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 4, Section 20.100, Line 3, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 4, Section 20.102, Line 3, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 5, Section 20.104, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 5, Section 20.105, Line 5, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 5, Section 20.106, Line 4, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 5, Section 20.107, Line 5, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 5, Section 20.112, Line 7, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)"; and

Further amend said bill, Page 6, Section 20.122, Line 7, by inserting immediately after the word "Fund" the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly v. Hanson case, then funding for this purpose shall not be available.)".

Speaker Pro Tem Kreider resumed the Chair.

Representative Monaco offered House Amendment No. 1 to House Amendment No. 5.

House Amendment No. 1

to

House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for House Bill No. 1020, Section 20.086, Section 20.131 & Section 20.108, by amending said bill by immediately inserting after the word "Fund" in each section the following: "(If the state auditor prevails in a final determination regarding certain riverboat gaming revenues included in total state revenue in the Kelly vs. Hanson case then funding for this purpose shall not be available)".

On motion of Representative Monaco, House Amendment No. 1 to House Amendment No. 5 was adopted by the following vote:

AYES: 109

Akin Auer Backer Ballard Barry 100

Bartlett Bauer Bennett Bland Boatright

Bonner Boucher Bray 84 Campbell Carter

Clayton Copeland Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Gibbons Graham 106 Graham 24 Gratz

Green Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Heckemeyer Hegeman Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Howerton

Johnson Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Legan Liese Luetkenhaus May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray O'Connor O'Toole

Overschmidt Parker Patek Purgason Ransdall

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Scheve Schwab Seigfreid

Shelton 57 Shields Smith Steen Stokan

Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Vogel Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 042

Alter Barnett Bartelsmeyer Berkstresser Broach

Burton Champion Chrismer Crawford Donovan

Edwards-Pavia Elliott Enz Evans Froelker

Gaskill Gaston Griesheimer Hartzler 124 Hendrickson

Hosmer Klindt Levin Linton Lograsso

Long Loudon Marble Murphy Naeger

Nordwald Ostmann Reinhart Sallee Schilling

Scott Secrest Sheldon 104 Summers Surface

Townley Wooten

PRESENT: 001

Kasten

ABSENT WITH LEAVE: 010

Cierpiot Cooper Crump Dougherty Hall

Pouche Pryor Shear Skaggs Wannenmacher

VACANCIES: 001

On motion of Representative Shelton (57), House Amendment No. 5, as amended, was adopted by the following vote:

AYES: 136

Akin Alter Auer Backer Ballard

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Boucher Bray 84

Broach Carter Champion Chrismer Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

Dolan Donovan Dougherty Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kauffman Kelley 47

Kelly 27 Kennedy Kissell Koller Kreider

Lakin Lawson Leake Levin Liese

Linton Long Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Monaco Murphy Murray O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Purgason Ransdall Reinhart Relford Reynolds

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Seigfreid Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 159 Wilson Wooten

Mr. Speaker

NOES: 023

Barnett Bonner Burton Campbell DeMarce

Edwards-Pavia Elliott Froelker Kasten Klindt

Legan Lograsso Loudon Miller Naeger

Nordwald Richardson Ridgeway Schwab Secrest

Sheldon 104 Summers Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 003

Hall Pryor Shear

VACANCIES: 001

Representative Relford offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1020, Page 5, Section 20.107, Line 4, by inserting at the end of said line the following: "and Wallace State Park"; and

further amend said section, line 5, by deleting the numerals "$100,000" and inserting in lieu thereof the numerals "$200,000".

Representative Relford moved that House Amendment No. 6 be adopted.

Which motion was defeated by the following vote:

AYES: 032

Bartlett Bauer Bonner Boucher Carter

Copeland Daniel 42 Davis 122 Days DeMarce

Fitzwater Fritts Gunn Hagan-Harrell Hegeman

Kennedy Klindt Kreider McBride McLuckie

Murray Parker Ransdall Relford Scheve

Seigfreid Sheldon 104 Skaggs Smith Thompson 72

Troupe Wiggins

NOES: 120

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bennett Berkstresser Bland

Boatright Bray 84 Broach Burton Campbell

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniels 41 Davis 63 Dolan

Donovan Edwards-Pavia Elliott Enz Evans

Farnen Ford Foster Franklin Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kissell Koller Lakin

Lawson Leake Legan Levin Liese

Linton Long Loudon Luetkenhaus Marble

May 108 Mays 50 McClelland Merideth Miller

Monaco Murphy Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Patek Pouche

Purgason Reinhart Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Schilling

Schwab Scott Secrest Shelton 57 Shields

Steen Stokan Stroker Summers Surface

Thomason 163 Townley Treadway Van Zandt Vogel

Wannenmacher Williams 121 Williams 159 Wilson Wooten

PRESENT: 000

ABSENT WITH LEAVE: 010

Backer Dougherty Foley Hall Lograsso

Pryor Shear Stoll Thompson 37 Mr. Speaker

VACANCIES: 001

On motion of Representative Franklin, HCS HB 1020, as amended, was adopted.

On motion of Representative Franklin, HCS HB 1020, as amended, was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HCS HB 1736, relating to family investment trust, was taken up by Representative Riback Wilson.

Representative Riback Wilson offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1736, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"Relating to the family investment trust act."; and

Further amend said bill, Page 1, Section A, Lines 1 to 3, by deleting all of said lines"; and

Further amend said bill, Page 1, Section 210.101, Lines 1 to 46, by deleting all of said lines; and

Further amend said bill, Page 2, Section 210.102, Lines 1 to 30, by deleting all of said lines; and

Further amend said bill, Page 3, Section 210.103, Lines 1 to 19, by deleting all of said lines; and

Further amend said bill, Page 7, Section 3, Line 65, by inserting after the word "assembly" the following: "and to the joint committee on family investment trust oversight"; and

Further amend said bill, Page 7, Section 3, Lines 77 and 78, by deleting the words "Missouri children and family services commission as established in section 210.101, RSMo. Such" and inserting in lieu thereof the following: "joint committee on family investment trust oversight as established in section 5 of this act. In addition to the duties described in subsection 3 of section 5 of this act, such"; and

Further amend said bill, Page 9, Section 4, Line 55, by inserting after all of said line the following:

"Section 5. 1. There is hereby established a permanent joint committee of the general assembly to be known as the "Joint Committee on Family Investment Trust Oversight" to be comprised of three members of the house of representatives and three members of the senate. The house members of the joint committee shall be appointed by the speaker of the house of representatives and the senate members shall be appointed by the president pro tempore of the senate. No major party shall be represented by more than two members from the house of representatives nor more than two members from the senate.

2. The joint committee shall be chaired jointly by designated committee members chosen by the speaker of the house of representatives and president pro tempore of the senate respectively.

3. The joint committee shall meet at least twice a year with the family investment trust board to:

(1) Examine the annual report of the family investment trust pursuant to section 3 of this act;

(2) Monitor and provide oversight for programs and activities of the family investment trust; and

(3) Review financial reports provided by the family investment trust and report to the chairman of the senate appropriations committee and the chairman of the house budget committee.".

On motion of Representative Riback Wilson, House Amendment No. 1 was adopted.

On motion of Representative Riback Wilson, HCS HB 1736, as amended, was adopted.

On motion of Representative Riback Wilson, HCS HB 1736, as amended, was ordered perfected and printed.

HCS HB 1626, relating to motor vehicle liens, was taken up by Representative Thomason (163).

Representative Liese offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1626, Page 1, In The Title, Line 3, by inserting immediately after the word "subject" the following: ", with an effective date"; and

Further amend said bill, Page 1, Section 301.640, Line 9, by deleting the words "of the amount owed" and inserting in lieu thereof the words "in the form of certified funds, as defined in section 381.410, RSMo"; and

Further amend said bill, Page 2, Section 301.640, Lines 28 to 43, by deleting all of said lines and inserting in lieu thereof the following:

"4. Any lienholder who fails to comply with subsection 1 or 2 of this section shall pay to the person or persons satisfying the lien or encumbrance twenty-five dollars for the first ten business days after expiration of the time period prescribed in subsection 1 or 2 of this section, and such payment shall double for each ten days thereafter in which there is continued noncompliance, up to a maximum of five hundred dollars for each lien. If delivery of the certificate is made by mail, the delivery date is the date of the postmark for purposes of this subsection.".

Further amend said bill, Page 2, Section 301.640, Line 43, by inserting immediately after all of said line the following:

"Section B. Section A of this act shall become effective on January 1, 1999.".

On motion of Representative Liese, House Amendment No. 1 was adopted.

On motion of Representative Thomason (163), HCS HB 1626, as amended, was adopted.

On motion of Representative Thomason (163), HCS HB 1626, as amended, was ordered perfected and printed.

THIRD READING OF SENATE BILLS - CONSENT

SB 940, relating to pharmacy, was taken up by Representative Stoll.

On motion of Representative Stoll, SB 940 was truly agreed to and finally passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Griesheimer Gross Gunn

Hagan-Harrell Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 72 Townley Treadway Van Zandt

Vogel Wannenmacher Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Bennett Bland Copeland Franklin Green

Hall Harlan Kelley 47 Klindt Pryor

Secrest Shear Thompson 37 Troupe Wiggins

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Bray moved that the vote by which the bill passed be reconsidered.

Representative Bauer moved that motion lay on the table.

The latter motion prevailed.

HCS SB 739, relating to subdivisions, was taken up by Representative Stoll.

On motion of Representative Stoll, HCS SB 739 was adopted.

On motion of Representative Stoll, HCS SB 739 was third read and finally passed by the following vote:

AYES: 146

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gross Gunn

Hagan-Harrell Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Purgason Ransdall Reinhart Relford

Reynolds Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 002

Griesheimer Murphy

PRESENT: 000

ABSENT WITH LEAVE: 014

Bennett Franklin Gratz Green Hall

Harlan Holand Kelley 47 Lograsso Pryor

Richardson Shear Thompson 37 Troupe

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hilgemann, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

HCS SB 839, relating to unemployment benefits, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, HCS SB 839 was adopted.

Representative Luetkenhaus moved that HCS SB 839 be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 064

Auer Backer Barry 100 Bartlett Bauer

Bonner Boucher Bray 84 Campbell Copeland

Crump Davis 63 Days Donovan Dougherty

Farnen Fitzwater Foley Franklin Fritts

Graham 24 Green Gross Gunn Hagan-Harrell

Harlan Heckemeyer Hickey Hollingsworth Hosmer

Johnson Kelly 27 Kennedy Kissell Kreider

Lakin Lawson Liese May 108 Mays 50

McBride McLuckie Monaco Murray O'Connor

O'Toole Overschmidt Ransdall Relford Reynolds

Rizzo Scheve Schilling Sheldon 104 Shelton 57

Skaggs Smith Stroker Thompson 37 Treadway

Van Zandt Williams 121 Wilson Wooten

NOES: 088

Akin Alter Ballard Barnett Bartelsmeyer

Berkstresser Bland Boatright Broach Burton

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Daniel 42 Daniels 41 Davis 122

DeMarce Edwards-Pavia Elliott Enz Evans

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Gratz Griesheimer Hartzler 123 Hartzler 124

Hegeman Hendrickson Hilgemann Hohulin Holand

Hoppe Howerton Kasten Kauffman Klindt

Koller Leake Legan Levin Linton

Lograsso Long Loudon Luetkenhaus Marble

McClelland Merideth Miller Murphy Naeger

Nordwald Ostmann Parker Patek Pouche

Purgason Reinhart Richardson Ridgeway Robirds

Ross Sallee Schwab Scott Secrest

Seigfreid Shields Steen Stokan Stoll

Summers Surface Thomason 163 Thompson 72 Townley

Vogel Wiggins Williams 159

PRESENT: 000

ABSENT WITH LEAVE: 010

Bennett Dolan Ford Hall Kelley 47

Pryor Shear Troupe Wannenmacher Mr. Speaker

VACANCIES: 001

SB 884, relating to Lincoln University, was taken up by Representative Gratz.

On motion of Representative Gratz, SB 884 was truly agreed to and finally passed by the following vote:

AYES: 139

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Donovan Dougherty Edwards-Pavia Enz

Evans Farnen Fitzwater Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Purgason Ransdall Reinhart Relford Reynolds

Ridgeway Rizzo Robirds Ross Scheve

Schilling Scott Secrest Seigfreid Sheldon 104

Shelton 57 Skaggs Smith Steen Stokan

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Van Zandt Vogel Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Bennett Boucher Copeland Crump Dolan

Elliott Foley Griesheimer Gross Hall

Kelley 47 Long Pryor Richardson Sallee

Schwab Shear Shields Stoll Thompson 37

Troupe Wannenmacher Wooten

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Clayton moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL - INFORMAL

HB 1610, relating to peace officer certification, was taken up and placed back on the Informal Calendar.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HCS HB 1002 and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Goode, Wiggins, Russell and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HCS HB 1003, as amended, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Goode, Wiggins, Russell and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HCS HB 1004, as amended, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Goode, Wiggins, Russell and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HCS HB 1005 and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Goode, Wiggins, Russell and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HCS HB 1006, as amended, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Goode, Wiggins, Russell and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HCS HB 1007, as amended, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Goode, Wiggins, Russell and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HCS HB 1008 and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Goode, Wiggins, Russell and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HCS HB 1009 and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Goode, Wiggins, Russell and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HCS HB 1010, as amended, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Goode, Wiggins, Russell and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HCS HB 1011, as amended, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Goode, Maxwell, Russell and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HCS HB 1012 and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Goode, Wiggins, Russell and Singleton.

COMMITTEE REPORTS

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred SB 661, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred HB 1297 and HB 1495, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Ways and Means, to which was referred SCS SB 489, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Ways and Means, to which was referred SCS SB 524, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Ways and Means, to which was referred SB 746, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND Senate Bill No. 746, Page 3, Section 143.751, Line 41, by inserting after said line the following:

"Section 1. 1. Neither this state nor any county or other political subdivision of this state shall enter into any contract or arrangement or expend any general revenue or special revenue funds for the examination of a taxpayer's books and records if any part of the compensation paid or payable for the services of the person, firm or corporation conducting the examination is contingent upon or otherwise related to the amount of tax, interest, court cost or penalty assessed against or collected from the taxpayer. A contract or arrangement in violation of this section, if made or entered into after the effective date of this act, is void and unenforceable. Any assessment or preliminary assessment of taxes, penalties or interest proposed or asserted by a person, firm or corporation conducting the examination agrees or has an understanding with the taxing authority that all or part of the compensation paid or payable will be waived or otherwise not paid if there is no assessment or no collection of tax or if less than a certain amount is assessed or collected is void and unenforceable.

2. For the purposes of this section the word "tax" shall mean any tax, license, fee or other charge payable to the state of Missouri, any agency thereof, county or any agency thereof, or other political subdivision or any agency thereof, including but not limited to, income, franchise, sales and use, property, business license, gross receipts or any other taxes payable by the taxpayer on account of its activities or property in, or income, sales, gross receipts or the like derived from sources within, the state, county or political subdivision.

3. The provisions of this section shall not be construed to prohibit or restrict this state or a county or other political subdivision of this state from entering into contracts or arrangements for the collection of any tax, interest, court cost or penalty when the person, firm or corporation making such assessment or collection has no authority to determine the amount of tax, interest, court cost or penalty owed this state or a county or other political subdivision of this state."; and

Further amend said bill by amending the title and enacting clause accordingly.

Mr. Speaker: Your Committee on Ways and Means, to which was referred SCS SB 849, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Ways and Means, to which was referred SB 888, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND Senate Bill No. 888, Page 1, Section 144.014, Line 11, by inserting after the word "section" the following: ", except for vending machine sales".

Mr. Speaker: Your Committee on Ways and Means, to which was referred SB 936, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1949, introduced by Representative Boucher, relating to cable television service regulation.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, April 23, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-eighth Day, Tuesday, April 21, 1998, page 1164, roll call, by showing Representatives Ballard, Franklin and Williams (121) voting "aye" rather than "absent with leave".

Page 1165, roll call, by showing Representatives Franklin, Kennedy, Ridgeway and Stokan voting "aye" rather than "absent with leave".

Pages 1166 and 1167, roll call, by showing Representatives Bartelsmeyer, Foster and Scott voting "aye" rather than "absent with leave".

Pages 1167 and 1168, roll call, by showing Representatives Bartelsmeyer, Mays (50), Reinhart, Ridgeway, Ross and Williams (121) voting "aye" rather than "absent with leave".

Pages 1168 and 1169, roll call, by showing Representatives Kasten and Reinhart voting "aye" rather than "absent with leave".

Pages 1169 and 1170, roll call, by showing Representative Enz voting "aye" rather than "no".

Pages 1169 and 1170, roll call, by showing Representative Robirds voting "aye" rather than "absent with leave".

Pages 1169 and 1170, roll call, by showing Representative Lawson voting "no" rather than "absent with leave".

Pages 1170 and 1171, roll call, by showing Representative Lawson voting "aye" rather than "absent with leave".

Pages 1171 and 1172, roll call, by showing Representative Lawson voting "aye" rather than "absent with leave".

Page 1184, roll call, by showing Representatives Hoppe and Secrest voting "aye" rather than "absent with leave".

Page 1184, roll call, by showing Representative Klindt voting "no" rather than "absent with leave".

Page 1186, roll call, by showing Representatives Patek, Richardson and Secrest voting "no" rather than "absent with leave".

Pages 1188 and 1189, roll call, by showing Representatives Kelly (27), Loudon, Secrest, Seigfreid and Williams (159) voting "aye" rather than "absent with leave".

Pages 1188 and 1189, roll call, by showing Representative Reynolds voting "aye" rather than "present".

Pages 1189 and 1190, roll call, by showing Representative Kasten voting "aye" rather than "absent with leave".

Pages 1189 and 1190, roll call, by showing Representatives Loudon and Secrest voting "no" rather than "absent with leave".

Pages 1190 and 1191, roll call, by showing Representative Secrest voting "no" rather than "absent with leave".

Pages 1191 and 1192, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 1191 and 1192, roll call, by showing Representatives Bennett (15), Gross, Secrest and Summers voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

CRITICAL ISSUES

Thursday, April 23, 1998, 9:00 am. Hearing Room 7. Executive session.

To be considered - SB 583, SB 525, SB 754

ENVIRONMENT AND ENERGY

Thursday, April 23, 1998, 9:00 am. Hearing Room 6. Executive session.

PUBLIC HEALTH AND SAFETY

Thursday, April 23, 1998, 9:45 am. Side gallery. Executive session.

To be considered - SB 689

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Thursday, April 23, 1998, 8:30 am. Hearing Room 5. Executive session will follow.

To be considered - SB 610

UTILITIES REGULATION

Thursday, April 23, 1998, 8:30 am. Hearing Room 8. Executive session tofollow.

To be considered - SB 627

HOUSE CALENDAR

Sixtieth Day, Thursday, April 23, 1998

HOUSE BILL FOR SECOND READING

HB 1949

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 35 - Parker

HCS HJR 53 - Backer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1891 - Crump

2 HB 1782 - Kennedy

3 HCS HB 1488 - Williams (121)

4 HCS HB 1124 - Shear

5 HB 1796, HCA 1 - Harlan

6 HB 1380 - Kreider

7 HB 962 - Backer

8 HB 1202 - Bartlett

9 HCS HB 1138 - Leake

10 HCS HB 907 - Hosmer

11 HCS HB 1375 - May (108)

12 HCS HB 1040, 1554, 1252, 1286 & 979 - Hosmer

13 HB 958 - Liese

14 HCS HB 1153 - Backer

15 HCS HB 1534 - Graham (24)

16 HCS HB 1277 & 900 - Gunn

17 HCS HB 924 - McLuckie

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

HCS HB 1674, HS#2, as amended, pending, - Rizzo

HOUSE BILLS FOR THIRD READING

HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

HB 1258, (Budget Fiscal 4-6-98) - Bland

HS HCS HB 1749, (Budget Fiscal 4-21-98) - Ladd Stokan

HCS HB 1643 - Monaco

HOUSE BILL FOR THIRD READING - INFORMAL

HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR THIRD READING - CONSENT

1 HCS SB 786 - Monaco

2 SCS SB 470 - Smith

3 SB 701 - Overschmidt

4 SB 861 - Leake

5 SB 719 - Monaco

6 SB 819 - Hoppe

7 SB 631 - Smith

8 SB 793 - Purgason

9 HCS SB 809 - Hoppe

10 HCS SB 676 - Pouche

11 SB 900 - Smith

12 HCS SB 778 - Hoppe

13 SB 517 - Klindt

14 HCS SB 898 - Hoppe

15 SCS SB 496 - Gibbons

16 HCS SB 844, E.C. - May (108)

17 SCS SB 604 - Scott

18 HCS SB 963 - Evans

19 SB 558 - Van Zandt

20 HCS SB 526 - Berkstresser

21 SCS SB 536 - Williams (121)

22 HCS SB 970 - Leake

23 SCS SB 897 - Leake

24 SB 941 - Carter

25 HCS SCS SB 634, E.C. - Hosmer

26 SCS SB 790 - May (108)

SENATE BILLS FOR THIRD READING

1 HCS SB 883, (Budget Fiscal 4-20-98) - Koller

2 SS#2 SCS SB 632, (Budget Fiscal 4-20-98) - Lakin

3 SB 473 - Rizzo

4 HCS SS SB 724 - Riback Wilson

5 HCS SB 854 - Relford

6 SB 945 - Thomason (163)

7 HCS SB 487 - Auer

BILLS IN CONFERENCE

1 SCS HCS HB 1002 - Franklin

2 SCS HCS HB 1003, as amended - Franklin

3 SCS HCS HB 1004, as amended - Franklin

4 SCS HCS HB 1005 - Franklin

5 SCS HCS HB 1006, as amended - Franklin

6 SCS HCS HB 1007, as amended - Franklin

7 SCS HCS HB 1008 - Franklin

8 SCS HCS HB 1009 - Franklin

9 SCS HCS HB 1010, as amended - Franklin

10 SCS HCS HB 1011, as amended - Franklin

11 SCS HCS HB 1012 - Franklin

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

HR 325, (April 9, 1998, pg. 1001) - Harlan

COURTESY RESOLUTIONS

HR 894 - Scheve

HR 895 - Ford

HR 896, and HR 897 - McClelland

HR 898 - Donovan

HR 899, and HR 900 - Bartelsmeyer

HR 901 - Gaw

HR 902 - Gratz

HR 903 - Dougherty

HR 904 - Edwards-Pavia

HR 905, through HR 907 - Lograsso

HR 908, through HR 910 - Stoll

HR 911 - Troupe

HR 912 - Edwards-Pavia

HR 913 - Hartzler (124)

HR 914 - McBride

HR 915 - Lakin

HR 916 - Davis (63)

HR 917 - Bennett

HR 918 - Dougherty

HR 919 - Naeger

HR 920 - Scheve

HR 921 - Kelley (47)

HR 922 - May (108)

HR 923 - Parker

HR 924 - Liese

HR 925 - Crump

HR 926 - Schilling

HR 927 - Skaggs

HR 928 - Miller

HR 929 - Murray

HR 930 - Riback Wilson

HR 931 - Hollingsworth

HR 932, and HR 933 - Barry

HR 934 - Williams (159)

HR 935 - Murphy

HR 936 - Alter

HR 937 - Scheve

HR 938 - Gibbons

HR 939 - Hall

HR 940 - Evans

HR 941 - Donovan

HR 942 and HR 943 - Burton

HR 944 - Reinhart

HR 945 - Champion

HR 946 - Franklin

HR 947 - Graham (24)

HR 948 - Berkstresser

HR 949 - Boatright

HR 950 - Schilling

HR 951 - Gaw

HR 952 - Gratz

HR 953 - Enz

HR 954 - Pouche

HR 955 - Parker

HR 956 - Stoll

HR 957 - Kreider

HR 958 - Boucher

HR 959 and HR 960 - Farnen

HR 961 - Stokan

HR 962 - Shields

HR 963 - Kelly (27)

HR 964 - Gross

HR 965 - Gratz

HR 966 - Koller

HR 967 - Murray

HR 968 - Berkstresser

HR 969 and HR 970 - Purgason

HR 971 and HR 972 - Patek

HR 973 - Backer

HR 974 through 987 - Murphy

HR 988 through HR 1001 - Enz

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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

FIFTY-SEVENTH DAY, Monday, April 20, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"For You are my hope, O Lord God." (Ps. 71:5)

The news today is of a famous person's death, Linda McCartney, who was recognized for her own career as a photographer and advocate of vegetarianism, rather than being known for her husband's fame. Her death from breast cancer at age 56 shows us that fame and fortune are no protection from this disease. The death of Pol Pot in Cambodia brings back memories of yet another example of genocide in our age.

We have also seen or heard the reports of severe weather from Tennessee, a reminder again that Nature's powers are stronger than ours. Meantime, there is good news from the efforts being made to bring about free trade with our Latin American neighbors and good news from Northern Ireland.

Gracious God, we begin this week with that review of world news, and with our own stories of things that cause us pain, joy and hope. Bless us with Your own gift of hope and the grace we need to go about this week's work in this Chamber, and for the personal concerns we bring to our desks as we do so. May we hold fast to the gift of hope, not our human wishful thinking alone. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Page for the Day, to serve without compensation: Gerrad Unger.

The Journal of the fifty-fifth day was approved as corrected.

The Journal of the fifty-sixth day was approved as printed.

RESOLUTIONS

Representative Champion offered House Resolution No. 945, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Franklin offered House Resolution No. 946, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Graham (24) offered House Resolution No. 947, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Berkstresser offered House Resolution No. 948, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boatright offered House Resolution No. 949, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Schilling offered House Resolution No. 950, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 951, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 952, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution No. 953, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pouche offered House Resolution No. 954, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Parker offered House Resolution No. 955, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 956, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kreider offered House Resolution No. 957, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 958, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Farnen offered House Resolution No. 959 and House Resolution No. 960, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stokan offered House Resolution No. 961, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shields offered House Resolution No. 962, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelly (27) offered House Resolution No. 963, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gross, Bennett, Chrismer, Dolan, Kissell, Luetkenhaus and Ostmann offered House Resolution No. 964, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 965, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Koller offered House Resolution No. 966, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray offered House Resolution No. 967, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Green offered House Concurrent Resolution No. 26.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 964** and **HCS HB 1536**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 964 - Budget (Fiscal Note)

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS#2 SCS SB 632 - Budget (Fiscal Note)

HCS SB 883 - Budget (Fiscal Note)

Representative Scheve suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 154

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Long

Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger Nordwald
O'Connor O'Toole Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 002

Lograsso Reynolds

ABSENT WITH LEAVE: 006

Backer Froelker Hall Hoppe Ostmann
Shear

VACANCIES: 001

THIRD READING OF SENATE BILLS - CONSENT

SB 764, relating to public administrators, was taken up by Representative Hollingsworth.

On motion of Representative Hollingsworth, **SB 764** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin Alter Auer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Bland Boatright Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Lawson

ABSENT WITH LEAVE: 006

Backer Berkstresser Hoppe Purgason Shear

Smith

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

SB 658, relating to school funds, was taken up by Representative Stoll.

On motion of Representative Stoll, **SB 658** was truly agreed to and finally passed by the following vote:

AYES: 158

Akin Alter Auer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murphy
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Backer Hoppe Shear Smith

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 156

Akin Alter Auer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 002

Edwards-Pavia Steen

PRESENT: 000

ABSENT WITH LEAVE: 004

Backer Hoppe Shear Smith

VACANCIES: 001

On motion of Representative Bray, title to the bill was agreed to.

Representative Days moved that the vote by which the bill passed be reconsidered.

Representative Davis (122) moved that motion lay on the table.

The latter motion prevailed.

HCS SB 535, relating to assessment of property, was taken up by Representative Bray.

On motion of Representative Bray, **HCS SB 535** was adopted.

On motion of Representative Bray, **HCS SB 535** was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford

Foster Franklin Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 005

Backer Fritts Hoppe Shear Smith

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Franklin, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

SB 537, relating to legal representatives, was taken up by Representative May (108).

On motion of Representative May (108), **SB 537** was truly agreed to and finally passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Sheldon 104
Shelton 57 Shields Skaggs Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 72 Townley Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Treadway

ABSENT WITH LEAVE: 004

Hoppe Shear Smith Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Bauer moved that the vote by which the bill passed be reconsidered.

Representative Barry moved that motion lay on the table.

The latter motion prevailed.

SB 488, relating to special school districts and vocational education, was taken up by Representative Days.

On motion of Representative Days, **SB 488** was truly agreed to and finally passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Skaggs Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Hoppe Shear Shields Smith Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 002

Hall Steen

PRESENT: 000

ABSENT WITH LEAVE: 004

Chrismer Hoppe Lograsso Shear

VACANCIES: 001

On motion of Representative Gunn, title to the bill was agreed to.

Representative Kennedy moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

SB 918, relating to leasing of real property, was taken up by Representative Schilling.

On motion of Representative Schilling, **SB 918** was truly agreed to and finally passed by the following vote:

AYES: 157

Akin Alter Backer Ballard Barnett
Barry 100 Bartlett Bauer Bennett Berkstresser
Bland Boatright Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Auer Bartelsmeyer Hoppe Relford Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hilgemann, title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

SCS SB 684, relating to juveniles and the division of youth services, was taken up by Representative Smith.

On motion of Representative Smith, **SCS SB 684** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin Alter Backer Ballard Barnett
Barry 100 Bartelsmeyer Bauer Bennett Berkstresser
Bland Boatright Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 003

Bartlett Sheldon 104 Troupe

PRESENT: 000

ABSENT WITH LEAVE: 004

Auer Hoppe Murphy Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Lakin, title to the bill was agreed to.

Representative Lawson moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

SCS SB 820, relating to tourism tax, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SCS SB 820** was truly agreed to and finally passed by the following vote:

AYES: 142

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Farnen
Fitzwater Foley Ford Foster Froelker
Gaskill Graham 106 Gratz Green Griesheimer
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hendrickson Hickey Hilgemann Holand
Hollingsworth Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Liese Linton Long
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Relford
Reynolds Richardson Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 012

Evans Gaston Gibbons Graham 24 Hall
Hegeman Hohulin Levin Lograsso Loudon
Reinhart Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 008

Auer Crump Franklin Fritts Gross
Hoppe Shear Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 136

Akin Alter Ballard Barnett Barry 100
Bartelsmeyer Bartlett Bauer Bennett Berkstresser
Bland Boatright Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Elliott Farnen Fitzwater Foley
Ford Franklin Fritts Gaskill Gibbons
Graham 106 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hickey Hilgemann Holand Hollingsworth
Hosmer Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Long Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Miller Monaco Murphy Murray
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Purgason Ransdall Relford
Reynolds Richardson Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 021

Edwards-Pavia Enz Evans Foster Froelker
Gaston Graham 24 Hall Hegeman Hendrickson
Hohulin Howerton Lograsso Loudon Merideth
Naeger Pouche Pryor Reinhart Ridgeway
Steen

PRESENT: 000

ABSENT WITH LEAVE: 005

Auer Backer Hoppe Shear Thompson 37

VACANCIES: 001

On motion of Representative Harlan, title to the bill was agreed to.

Representative Mays (50) moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

SB 626, with House Committee Amendment No. 1, relating to equipment dealers and manufacturers, was taken up by Representative Leake.

On motion of Representative Leake, House Committee Amendment No. 1 was adopted.

On motion of Representative Leake, **SB 626, as amended,** was read the third time and passed by the following vote:

AYES: 156

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Auer Bonner Davis 63 Hoppe Shear
Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative O'Connor, title to the bill was agreed to.

Representative Ransdall moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

SB 928, relating to conveyance in St. Charles County, was taken up by Representative Chrismer.

On motion of Representative Chrismer, **SB 928** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin Alter Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gunn Hagan-Harrell Hall Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Auer Bonner Foley Gross Harlan

Hoppe Reynolds Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Luetkenhaus, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

HCS SB 842, relating to controlled substances, was taken up by Representative Crump.

On motion of Representative Crump, **HCS SB 842** was adopted.

On motion of Representative Crump, **HCS SB 842** was read the third time and passed by the following vote:

AYES: 132

Alter Backer Ballard Barry 100 Bauer
Bennett Berkstresser Bland Bonner Boucher
Bray 84 Broach Burton Campbell Champion
Cierpiot Clayton Cooper Copeland Crawford
Crump Daniels 41 Davis 122 Days DeMarce
Dolan Donovan Dougherty Elliott Enz
Evans Farnen Fitzwater Foley Foster
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Hagan-Harrell Hall Harlan Hartzler 123
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hosmer Johnson
Kasten Kelley 47 Kelly 27 Kennedy Kissell
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Long
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Surface Thomason 163
Thompson 37 Thompson 72 Treadway Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 023

Akin Barnett Bartlett Boatright Carter
Chrismer Daniel 42 Davis 63 Edwards-Pavia Ford

Gunn Hartzler 124 Howerton Klindt Loudon
Naeger Patek Ridgeway Seigfreid Sheldon 104
Summers Townley Troupe

PRESENT: 000

ABSENT WITH LEAVE: 007

Auer Bartelsmeyer Franklin Hoppe Kauffman
Lograsso Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative Stokan moved that the vote by which the bill passed be reconsidered.

Representative Thompson (72) moved that motion lay on the table.

The latter motion prevailed.

HCS SB 579, relating to conveyance of property in Camden County, was taken up by Representative Pryor.

On motion of Representative Pryor, **HCS SB 579** was adopted.

On motion of Representative Pryor, **HCS SB 579** was read the third time and passed by the following vote:

AYES: 157

Alter Backer Ballard Barnett Barry 100
Bartelsmeyer Bartlett Bauer Bennett Berkstresser
Bland Boatright Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Akin Auer Hoppe Lograsso Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Stroker, title to the bill was agreed to.

Representative Seigfreid moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

SB 695, relating to conveyance of property in Cape Girardeau County, was taken up by Representative Kasten.

On motion of Representative Kasten, **SB 695** was truly agreed to and finally passed by the following vote:

AYES: 153

Alter Backer Ballard Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser
Bland Boatright Bonner Boucher Bray 84
Broach Burton Campbell Carter Chrismer
Cierpiot Clayton Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 003

Champion Farnen Gunn

PRESENT: 000

ABSENT WITH LEAVE: 006

Akin Auer Hoppe Linton Lograsso
Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Van Zandt, title to the bill was agreed to.

Representative Williams (121) moved that the vote by which the bill passed be reconsidered.

Representative Troupe moved that motion lay on the table.

The latter motion prevailed.

SB 553, with House Committee Amendment No. 1, relating to postsecondary course options, was taken up by Representative Stoll.

On motion of Representative Stoll, House Committee Amendment No. 1 was adopted.

On motion of Representative Stoll, **SB 553, as amended,** was read the third time and passed by the following vote:

AYES: 140

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Cierpiot

Clayton Cooper Copeland Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Gaskill Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hickey Hilgemann Hohulin Holand

Hollingsworth Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Long

Loudon Luetkenhaus Marble May 108 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Wooten Mr. Speaker

NOES: 017

Akin Bennett Boatright Chrismer Crawford

Enz Evans Froelker Gaston Gross

Hall Hendrickson Linton Murphy Reinhart

Ridgeway Townley

PRESENT: 000

ABSENT WITH LEAVE: 005

Hoppe Lograsso Mays 50 Shear Williams 121

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Fritts moved that motion lay on the table.

The latter motion prevailed.

Representative Scheve assumed the Chair.

SB 597, relating to county collectors, was taken up by Representative Lawson.

On motion of Representative Lawson, **SB 597** was truly agreed to and finally passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hosmer Howerton
Johnson Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Hoppe Kasten Lograsso Monaco Shear
Williams 121

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Carter moved that motion lay on the table.

The latter motion prevailed.

HCS SB 841, relating to certain retirement systems, was taken up by Representative Clayton.

Representative Clayton offered House Perfecting Amendment No. 1.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 841, Page 4, Section 50.1090, Line 25, by inserting after the word "**calculation**" the word "**of**".

On motion of Representative Clayton, House Perfecting Amendment No. 1 was adopted.

On motion of Representative Clayton, **HCS SB 841, as amended,** was adopted by the following vote:

AYES: 086

Auer Barry 100 Bartelsmeyer Bartlett Bauer

Bland Bonner Bray 84 Carter Clayton

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Fitzwater Foley Ford Fritts

Graham 24 Green Gunn Hagan-Harrell Harlan

Heckemeyer Hickey Hilgemann Hollingsworth Hosmer

Johnson Kelley 47 Kelly 27 Kennedy Kissell

Koller Kreider Lakin Leake Legan

Liese Long Luetkenhaus May 108 McBride

McLuckie Miller Monaco Murray Nordwald

O'Connor O'Toole Overschmidt Parker Ransdall

Relford Reynolds Richardson Rizzo Sallee

Scheve Schilling Scott Seigfreid Shelton 57

Skaggs Smith Stokan Stoll Stroker

Thomason 163 Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Wiggins Williams 159 Wilson Wooten

Mr. Speaker

NOES: 062

Akin Alter Ballard Barnett Bennett

Boatright Broach Burton Campbell Champion

Chrismer Cierpiot Cooper Edwards-Pavia Elliott

Enz Evans Foster Froelker Gaskill

Gaston Gibbons Graham 106 Gratz Gross

Hall Hartzler 123 Hartzler 124 Hegeman Hendrickson

Hohulin Holand Howerton Kasten Kauffman

Klindt Levin Linton Loudon Marble

McClelland Merideth Murphy Naeger Ostmann

Patek Pouche Pryor Purgason Reinhart

Ridgeway Robirds Ross Schwab Secrest

Sheldon 104 Shields Steen Surface Townley

Vogel Wannenmacher

PRESENT: 004

Dolan Farnen Griesheimer Lawson

ABSENT WITH LEAVE: 010

Backer Berkstresser Boucher Franklin Hoppe

Lograsso Mays 50 Shear Summers Williams 121

VACANCIES: 001

On motion of Representative Clayton, **HCS SB 841, as amended,** was read the third time and passed by the following vote:

AYES: 093

Auer Backer Barry 100 Bartelsmeyer Bartlett

Bauer Berkstresser Bland Bonner Boucher

Bray 84 Carter Clayton Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Donovan Elliott Fitzwater

Foley Ford Franklin Fritts Graham 106

Graham 24 Gratz Green Gunn Hagan-Harrell

Harlan Heckemeyer Hickey Hilgemann Hollingsworth

Hosmer Johnson Kelley 47 Kelly 27 Kennedy

Kissell Koller Kreider Lakin Leake

Legan Liese Luetkenhaus May 108 Mays 50

McBride McLuckie Merideth Miller Monaco

Murray Nordwald O'Connor O'Toole Overschmidt

Parker Ransdall Relford Reynolds Richardson

Rizzo Scheve Schilling Scott Seigfreid

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Surface Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Wiggins Williams 159

Wilson Wooten Mr. Speaker

NOES: 061

Akin Alter Ballard Barnett Bennett

Boatright Broach Burton Campbell Champion

Chrismer Cierpiot Cooper Edwards-Pavia Enz

Evans Foster Froelker Gaskill Gaston

Gibbons Gross Hall Hartzler 123 Hartzler 124

Hegeman Hendrickson Hohulin Holand Howerton

Kasten Kauffman Klindt Levin Linton

Long Loudon Marble McClelland Murphy

Naeger Ostmann Patek Pouche Pryor

Purgason Reinhart Ridgeway Robirds Ross

Sallee Schwab Secrest Sheldon 104 Shields

Steen Summers Townley Vogel Wannenmacher

Williams 121

PRESENT: 003

Farnen Griesheimer Lawson

ABSENT WITH LEAVE: 005

Dolan Dougherty Hoppe Lograsso Shear

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Seigfreid moved that the vote by which the bill passed be reconsidered.

Representative Stroker moved that motion lay on the table.

The latter motion prevailed.

HCS SCS SB 732, relating to psychologists, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **HCS SCS SB 732** was adopted.

On motion of Representative O'Connor, **HCS SCS SB 732** was read the third time and passed by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 003

Froelker Hall Murphy

PRESENT: 000

ABSENT WITH LEAVE: 011

Crump Green Hoppe Kelly 27 Kennedy

Linton Lograsso Ostmann Shear Stokan

Stoll

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Ransdall, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

HCS SB 479, relating to public water districts, was taken up by Representative Fritts.

On motion of Representative Fritts, **HCS SB 479** was adopted.

On motion of Representative Fritts, **HCS SB 479** was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Franklin Green Hoppe Lograsso Ostmann

Shear Stokan

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative DeMarce moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

HCS SB 550, relating to road districts, was taken up by Representative Pouche.

On motion of Representative Pouche, **HCS SB 550** was adopted.

On motion of Representative Pouche, **HCS SB 550** was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Griesheimer Gross

Gunn Hagan-Harrell Hall Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hosmer Howerton

Johnson Kasten Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Overschmidt

Parker Patek Pouche Pryor Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Steen

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Smith

PRESENT: 000

ABSENT WITH LEAVE: 012

Backer Ballard Foley Green Harlan

Hoppe Kauffman Lograsso Ostmann Purgason

Shear Stokan

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Leake, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Parker moved that motion lay on the table.

The latter motion prevailed.

SB 733, with House Committee Amendment No. 1, relating to public school employee retirement system, was taken up by Representative Stoll.

On motion of Representative Stoll, House Committee Amendment No. 1 was adopted.

On motion of Representative Stoll, **SB 733, as amended,** was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Griesheimer Gross Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 002

Hall Loudon

PRESENT: 000

ABSENT WITH LEAVE: 007

Green Gunn Hoppe Kelly 27 Lograsso
Shear Stokan

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Lawson, title to the bill was agreed to.

Representative Kissell moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

SB 642, relating to state financial administration, was taken up by Representative Murray.

On motion of Representative Murray, **SB 642** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 002

Edwards-Pavia Murphy

PRESENT: 000

ABSENT WITH LEAVE: 005

Boucher Green Hoppe Lograsso Shear

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Parker, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

SCS SB 652, relating to assessors, was taken up by Representative Robirds.

On motion of Representative Robirds, **SCS SB 652** was truly agreed to and finally passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Foley Green Hoppe Lograsso Shear

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Barry, title to the bill was agreed to.

Representative Koller moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

SB 720, relating to children of incarcerated parents, was taken up by Representative Thompson (72).

On motion of Representative Thompson (72), **SB 720** was truly agreed to and finally passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Purgason

Ransdall Reinhart Relford Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Crump Green Hoppe Pryor Reynolds
Shear

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Hilgemann, title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider resumed the Chair.

SB 961, relating to child protection, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **SB 961** was truly agreed to and finally passed by the following vote:

AYES: 156

Alter Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hohulin Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Akin

PRESENT: 000

ABSENT WITH LEAVE: 005

Green Hilgemann Hoppe Shear Wiggins

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Days, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Sheldon (104) moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 1480, relating to local records preservation, was taken up by Representative DeMarce.

On motion of Representative DeMarce, **SCS HB 1480** was adopted by the following vote:

AYES: 155

Akin Alter Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Holand Hollingsworth
Hosmer Howerton Johnson Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Auer Foley Hohulin Hoppe Kasten

Shear Summers

VACANCIES: 001

On motion of Representative DeMarce, **SCS HB 1480** was truly agreed to and finally passed by the following vote:

AYES: 156

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hosmer Howerton Johnson

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Auer Hoppe Kasten Lograsso Reynolds
Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Davis (122) moved that the vote by which the bill passed be reconsidered.

Representative Kennedy moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS

HS HB 976, relating to metropolitan school districts, was taken up by Representative Bauer.

On motion of Representative Bauer, **HS HB 976** was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hosmer Howerton

Johnson Kauffman Kelley 47 Kelly 27 Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Vogel Wannenmacher

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Hoppe Kasten Kennedy Lograsso Shear

Townley Wiggins Williams 121

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

HB 1302, relating to essential community providers, was taken up by Representative Bland.

On motion of Representative Bland, **HB 1302** was read the third time and passed by the following vote:

AYES: 113

Backer Barnett Barry 100 Bartlett Bauer
Bland Bonner Boucher Broach Burton
Campbell Carter Champion Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Elliott Farnen
Fitzwater Foley Ford Franklin Fritts
Froelker Gaskill Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Harlan Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Holand Hollingsworth Hosmer Johnson
Kasten Kauffman Kelly 27 Kennedy Kissell
Koller Kreider Lakin Lawson Leake
Liese Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Monaco
Murray O'Connor O'Toole Ostmann Overschmidt
Parker Purgason Ransdall Relford Reynolds
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Stokan Stoll Stroker Thomason 163 Thompson 37
Thompson 72 Troupe Van Zandt Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 041

Akin Alter Ballard Bartelsmeyer Bennett
Berkstresser Boatright Chrismer Edwards-Pavia Enz
Evans Foster Gaston Gibbons Hartzler 123
Hartzler 124 Hohulin Howerton Klindt Legan
Linton Lograsso Long Loudon Miller

Murphy Naeger Nordwald Patek Pouche
Pryor Reinhart Richardson Ridgeway Steen
Summers Surface Townley Treadway Vogel
Wannenmacher

PRESENT: 001

Auer

ABSENT WITH LEAVE: 007

Bray 84 Hall Hoppe Kelley 47 Levin
Shear Wiggins

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Thomason (163) moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1536, relating to impaired drivers, was taken up by Representative Lakin.

On motion of Representative Lakin, **HCS HB 1536** was read the third time and passed by the following vote:

AYES: 102

Akin Alter Auer Bartlett Bauer
Bennett Bland Bonner Boucher Broach
Burton Campbell Carter Champion Cierpiot
Cooper Crawford Crump Daniel 42 Daniels 41
Davis 122 Days Dolan Donovan Dougherty
Evans Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Green Gross
Gunn Hagan-Harrell Harlan Hartzler 124 Hickey
Hilgemann Hohulin Holand Hollingsworth Hosmer
Johnson Kasten Kauffman Kennedy Kissell
Koller Kreider Lakin Leake Levin
Liese Long Loudon Luetkenhaus May 108

Mays 50 McBride McClelland McLuckie Monaco
Murray Nordwald O'Connor O'Toole Ostmann
Parker Patek Pryor Ransdall Relford
Reynolds Ross Schilling Schwab Seigfreid
Shelton 57 Skaggs Smith Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Van Zandt Williams 121 Williams 159
Wilson Mr. Speaker

NOES: 055

Backer Ballard Barnett Barry 100 Bartelsmeyer
Berkstresser Boatright Chrismer Clayton Copeland
Davis 63 DeMarce Edwards-Pavia Elliott Enz
Farnen Gratz Griesheimer Hall Hartzler 123
Hegeman Hendrickson Howerton Kelley 47 Kelly 27
Klindt Lawson Legan Linton Marble
Merideth Miller Murphy Naeger Overschmidt
Pouche Purgason Reinhart Richardson Ridgeway
Rizzo Robirds Sallee Scheve Scott
Secrest Sheldon 104 Shields Steen Treadway
Troupe Vogel Wannenmacher Wiggins Wooten

PRESENT: 000

ABSENT WITH LEAVE: 005

Bray 84 Heckemeyer Hoppe Lograsso Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Parker, title to the bill was agreed to.

Representative Riback Wilson moved that the vote by which the bill passed be reconsidered.

Representative Bauer moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL - CONSENT

SB 766, relating to prison commitment, was taken up by Representative Relford.

On motion of Representative Relford, **SB 766** was truly agreed to and finally passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bauer Bennett
Berkstresser Boatright Bonner Boucher Bray 84
Broach Burton Campbell Champion Chrismer
Cierpiot Clayton Cooper Copeland Crawford
Crump Daniels 41 Davis 122 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Sheldon 104
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 72 Townley Treadway Van Zandt
Vogel Wannenmacher Wiggins Williams 159 Wilson
Wooten Mr. Speaker

NOES: 007

Bartlett Bland Carter Daniel 42 Davis 63
Gunn Troupe

PRESENT: 000

ABSENT WITH LEAVE: 008

Heckemeyer Hoppe Linton Lograsso Pryor
Shear Thompson 37 Williams 121

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bauer Bennett
Berkstresser Boatright Bonner Boucher Bray 84
Broach Burton Campbell Champion Chrismer
Cierpiot Clayton Cooper Copeland Crump
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Griesheimer Gross Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hollingsworth Hosmer Johnson Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Miller Monaco
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pryor
Ransdall Relford Reynolds Richardson Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 72 Townley Treadway Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 017

Bartlett Bland Carter Daniel 42 Gunn
Hohulin Holand Howerton Kasten Merideth
Murphy Pouche Purgason Reinhart Ridgeway
Sheldon 104 Troupe

PRESENT: 000

ABSENT WITH LEAVE: 008

Crawford Franklin Green Hilgemann Hoppe
Lograsso Shear Thompson 37

VACANCIES: 001

On motion of Representative Harlan, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Kennedy moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL - CONSENT

HB 1783, relating to historical and public interest signs, was taken up by Representative Lakin.

On motion of Representative Lakin, HB 1783 was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Leake Legan Levin Liese Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 72 Townley

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Green Hoppe Lawson Linton Shear

Thompson 37 Treadway

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Skaggs, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HB 1749, relating to long-term care facilities, was taken up by Representative Ladd Stokan.

Representative Ladd Stokan offered HS HCS HB 1749.

Representative Ladd Stokan offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1749, Page 1, In the Title, Line 4, by deleting the word "section" and inserting in lieu thereof the words and figure "sections 197.317 and"; and

Further amend said bill, Page 1, In the Title, Line 6, by deleting the word "twelve" and inserting in lieu thereof the word "thirteen"; and

Further amend said bill, Page 1, Section A, Line 11, by deleting the word "section" and inserting in lieu thereof the words and figure "sections 197.317 and"; and

Further amend said bill, Page 1, Section A, Line 12, by deleting the word "twelve" and inserting in lieu thereof the word "thirteen"; and

Further amend said bill, Page 1, Section A, Line 13, by inserting after the word "sections" the figure "197.317,"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by inserting after all of said line the following:

"197.317. After July 1, 1983, no certificate of need shall be issued for the following:

(1) Additional residential care facility I, residential care facility II, intermediate care facility or skilled nursing facility beds above the number then licensed by this state;

(2) Beds in a licensed hospital to be reallocated on a temporary or permanent basis to nursing care or beds in a long-term care hospital meeting the requirements described in 42 C.F.R., section 412.23(e), excepting those which are not subject to a certificate of need pursuant to paragraphs (e) and (g) of subdivision (12) of section 197.305; nor

(3) The reallocation of intermediate care facility or skilled nursing facility beds of existing licensed beds by transfer or sale of licensed beds between a hospital licensed under this chapter or a nursing care facility licensed under chapter 198, RSMo; except for beds in counties in which there is no existing nursing care facility. No certificate of need shall be issued for the reallocation of existing residential care facility I or II, or intermediate care facilities operated exclusively for the mentally retarded to intermediate care or skilled nursing facilities or beds. However, after [July 1] September 1, 1999, nothing in this section shall prohibit the Missouri health facilities review committee from issuing a certificate of need for additional beds in existing health care facilities or for new beds in new health care facilities or for the reallocation of licensed beds, provided that no construction shall begin prior to [July 1] September 1, 2000. The provisions of subsections 16 and 17 of section 197.315 shall apply to the provisions of this section.".

Representative Burton offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1749, Page 1, In the Title, Line 4, by deleting the word "section" and inserting in lieu thereof the words and figure "sections 197.317 and"; and

Further amend said bill, Page 1, In the Title, Line 6, by deleting the word "twelve" and inserting in lieu thereof the word "thirteen"; and

Further amend said bill, Page 1, Section A, Line 11, by deleting the word "section" and inserting in lieu thereof the words and figure "sections 197.317 and"; and

Further amend said bill, Page 1, Section A, Line 12, by deleting the word "twelve" and inserting in lieu thereof the word "thirteen"; and

Further amend said bill, Page 1, Section A, Line 13, by inserting after the word "sections" the figure "197.317,"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by inserting after all of said line the following:

"197.317. After July 1, 1983, no certificate of need shall be issued for the following:

(1) Additional residential care facility I, residential care facility II, intermediate care facility or skilled nursing facility beds above the number then licensed by this state;

(2) Beds in a licensed hospital to be reallocated on a temporary or permanent basis to nursing care or beds in a long-term care hospital meeting the requirements described in 42 C.F.R., section 412.23(e), excepting those which are not subject to a certificate of need pursuant to paragraphs (e) and (g) of subdivision (12) of section 197.305; nor

(3) The reallocation of intermediate care facility or skilled nursing facility beds of existing licensed beds by transfer or sale of licensed beds between a hospital licensed under this chapter or a nursing care facility licensed under chapter 198, RSMo; except for beds in counties in which there is no existing nursing care facility. No certificate of need shall be issued for the reallocation of existing residential care facility I or II, or intermediate care facilities operated exclusively for the mentally retarded to intermediate care or skilled nursing facilities or beds. However, after [July 1] December 31, 1999, nothing in this section shall prohibit the Missouri health facilities review committee from issuing a certificate of need for additional beds in existing health care facilities or for new beds in new health care facilities or for the reallocation of licensed beds, provided that no construction shall begin prior to [July 1] December 31, 2000. The provisions of subsections 16 and 17 of section 197.315 shall apply to the provisions of this section.".

On motion of Representative Burton, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted.

Representative Ladd Stokan offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1749, Page 25, Line 12 - 14, by deleting all of said lines and adding in lieu thereof the following:

13. The timely self-reporting of incidents to the central registry by a facility shall continue to be investigated in accordance with Department policy but shall not be counted or reported by the Department as a hot line call, but rather a self-reported incident.

On motion of Representative Ladd Stokan, House Amendment No. 2 was adopted.

Representative Graham (24) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1749, Page 1, Section A, Line 15, by inserting after all of said line the following:

"178.661. As used in sections 178.661 to 178.673, the following terms mean:

(1) "After-tax income", the sum of all income from all sources to an individual including, but not limited to, salary, wages, tips, interest, dividends, annuities, pensions, and disability payments, less the sum of all federal, state, and local taxes on such income;

(2) "Client", a physically disabled person determined by the division to be eligible to receive personal care assistance services;

(3) "Counselor", an employee of the division responsible for determining eligibility for personal care assistance services and for developing and implementing a personal care assistance services plan;

(4) "Division", the division of vocational rehabilitation of the department of elementary and secondary education;

(5) "Employment", a minimum of sixteen hours per week for which an individual receives remuneration;

(6) "Fiscal intermediary", any person, firm or corporation certified by the division as eligible to provide fiscal conduit services necessary for participant directed reimbursement of personal care assistance services and selected through a competitive bid process;

(7) "Live independently", to reside and perform routine tasks in a noninstitutional or unsupervised residential setting;

[(7)] (8) "Participant-directed", hiring, training, supervising, and directing of the personal care attendant by the physically disabled person;

[(8)] (9) "Personal care assistance services", those services required by a physically disabled person to enable him or her to perform those routine tasks necessary to enter and to maintain employment or to live independently;

[(9)] (10) "Personal care attendant", a person who performs personal care assistance tasks for a physically disabled person;

[(10)] (11) "Physically disabled", loss of, or loss of use of, all or part of the neurological, muscular, or skeletal functions of the body, including cognitive disabilities, to the extent that a person requires the assistance of another person to accomplish routine tasks;

[(11)] (12) "Routine tasks":

(a) Bowel and bladder elimination;

(b) Dressing and undressing;

(c) Moving into and out of bed;

(d) Preparation and consumption of food and drink;

(e) Bathing and grooming;

(f) Use of prostheses, aids, equipment, and other similar devices; or

(g) Ambulation and other functions of daily living;

[(12)] (13) "Sleeping-hours attendant", a person who provides personal care assistance services to a physically disabled person during a daily eight-hour period when the physically disabled person normally sleeps;

[(13)] (14) "Vendor", any person, firm or corporation certified by the division as eligible to provide evaluation and fiscal conduit services necessary for delivery of personal care assistance services to physically disabled persons.

178.662. 1. Subject to appropriations, the division shall provide financial assistance for participant-directed personal care assistance services through eligible vendors, except for the provisions of subsection 3 of this section, to each person selected to participate [under] pursuant to guidelines established by the division and who:

(1) Is employed or is ready for employment, or is capable of living independently with personal care assistance;

(2) Is physically disabled;

(3) Has a documented need for a minimum of seven or a maximum of forty-two hours per week of personal care assistance or, if more than forty-two hours per week are required, substantial documentation may be used to support a request for additional time; and

(4) Is in financial need as determined by the division according to a standard means test.

2. Personal care assistance services shall be provided, at cost to the division, to the client to the extent that he or she is determined to be in financial need. Such need shall be determined by reducing the client's after-tax income by an amount equal to the client's necessary living expenses. Financial assistance shall be decreased as the client's ability to pay increases, in accordance with a schedule set out in the client's personal care assistance plan.

3. Upon vendor certification of the employment of a personal care attendant, the division or the vendor, at the vendor's option, shall perform the payroll and fringe benefit accounting functions for the client. The division may choose to contract with a fiscal intermediary for payroll and fringe benefit accounting functions for the client. The division shall be permitted to deposit funds with such vendor prior to the payroll payment. The vendor shall accumulate required employee authorizing documentation and forward to the division. Although the division, fiscal intermediary or the vendor shall perform the payroll and fringe benefit functions, all local monitoring and supervision of the attendant shall be the responsibility of the vendor and client. Statutorily required fringe benefit costs shall be paid from the personal care assistant appropriation. The division shall establish the statewide hourly rate for attendant services. For purposes of this section, the attendant is considered the employee of the client only for the period of time subsidized by personal care assistant funds. Nothing in this section shall be construed such that the attendant is the employee of the division or the state of Missouri.

178.674. 1. As used in this section, the following terms mean:

(1) "Attendant", a person eighteen years of age or older and not the parent, spouse or child of a consumer who performs support and assistance services for, or on behalf of, a consumer;

(2) "Consumer", a disabled person determined by one or both departments to be eligible to receive personal support and assistance services;

(3) "Consumer-directed", employing, training, supervising and directing of an attendant by, or on behalf of, a consumer;

(4) "Department", the department of social services or the department of mental health or both;

(5) "Fiscal intermediary", any person, firm or corporation selected through a competitive bid process, and certified by one or both of the departments as eligible to provide fiscal conduit services necessary for participant-directed reimbursement of personal support and assistance services;

(6) "Personal support and assistance services", assistance with a broad range of activities and instrumental activities of daily living, as defined by one or both of the departments, and as appropriate to a consumer to enable a consumer in need of in-home care to live in the consumer's home and community rather than an institution and to carry out functions of daily living, self care and mobility. Assistance shall be provided in accordance with a plan of care and may include, but is not limited to, direct hands-on support, training and oversight, accompaniment, coaching and minor problem solving to achieve increased independence, productivity and inclusion in the community. Assistance may occur in the home, community, school or workplace, and may be long or short term, including respite care.

2. Within appropriations, and for certain consumers and consumers' families who wish to participate and qualify pursuant to guidelines established by one or both departments, one or both departments as appropriate shall provide payments for eligible consumers and consumers' families for consumer-directed care for personal support and assistance services.

3. Upon department verification of employment of an attendant by a consumer or a consumer's family, the departments or, at the departments' option, a fiscal intermediary shall perform the payroll and fringe benefit accounting functions for such consumer or such consumer's family. The departments shall be permitted to deposit funds with such fiscal intermediary prior to the payroll payment.

4. No attendant shall receive payment to perform personal support and assistance services pursuant to this section until such attendant has completed a minimum training requirement pursuant to guidelines established by the department. No attendant shall receive payment to perform personal support and assistance services pursuant to this section if such attendant is listed on the employee disqualification list as provided in section 660.315, RSMo. No attendant shall be hired by a consumer to perform personal support and assistance services pursuant to this section until a criminal background check as provided in section 43.540, RSMo, has been completed for such attendant.

5. An applicant for an attendant position pursuant to this section shall:

(1) Sign a consent form as required by section 43.540, RSMo, so the provider may request a criminal records review;

(2) Disclose the applicant's criminal history. For the purpose of this subdivision, criminal history includes any conviction or a plea of guilty to a misdemeanor or felony charge, and shall include any suspended imposition of sentence, any suspended execution of sentence, or any period of probation or parole; and

(3) Disclose whether the applicant is listed on the employee disqualification list as provided in section 660.315,

RSMo.

6. For purposes of this section, the attendant shall be considered the employee of the consumer or the consumer's family, and nothing in this section shall be construed such that the attendant is considered the employee of the department or the state of Missouri. All local monitoring and supervision of the attendant shall be the responsibility of the consumer or the consumer's family, with as much assistance and consultation from the department as the consumer or the consumer's family chooses and is needed to assure the consumer's welfare and safety.

7. The division of medical services within the department of social services shall apply not later than December 31, 1998, for a home and community-based services waiver for Title XIX of the Social Security Act from the federal Health Care Financing Administration for persons with disabilities between the ages of sixteen and sixty-four to increase the availability of consumer-directed personal support and assistance services. Funding for programs pursuant to this waiver is subject to appropriation.

8. The department of mental health shall amend its current home and community-based services waiver not later than December 31, 1998, to establish and maintain a consumer-directed program pursuant to this section for personal support and assistance services for persons with disabilities.

9. The division of aging within the department of social services shall amend its current home and community-based services waiver not later than December 31, 1998, to establish and maintain a consumer-directed program pursuant to this section for personal support and assistance services for consumers which meet the qualifications, guidelines and assessments established by the division.

10. Any consumer who qualifies and participates in a consumer-directed program pursuant to subsection 6 of this section before age sixty-five shall remain eligible for personal support and assistance services under such program."; and

Further amend title and enacting clause accordingly.

On motion of Representative Graham (24), House Amendment No. 3 was adopted.

Representative Fitzwater offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1749, Page 11, Section 198.026, Line 6, by inserting after all of said line the following:

"8. In order for the department to concentrate on the improvement of care in poor performing long-term care facilities in the state, the department shall establish and staff a group of roving inspectors who work exclusively with poor performing facilities. The job description of roving inspectors shall include, but not be limited to, making surprise inspections on a frequent, irregular basis.".

Representative Fitzwater moved that House Amendment No. 4 be adopted.

Which motion was defeated.

Representative Parker offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1749, Page 4, Lines 12 & 13, by deleting the following:

"been convicted of, or pled guilty or nolo contendere to,"

and insert in lieu thereof the following:

"pled guilty or been found guilty of"

further amend said bill, page 5, lines 3 & 4 by deleting the following:

"been convicted of, or pled guilty or nolo contendere to,"

and insert in lieu thereof the following:

"pled guilty or been found guilty of".

On motion of Representative Parker, House Amendment No. 5 was adopted.

Representative Hohulin offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1749, Page 1, In the Title, Line 2 of said page, by inserting after the word "sections" the figure "198.006,"; and

Further amend said bill, Page 1, In the Title, Line 6 of said page, by deleting the word "twelve" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 10 of said page, by inserting after the word "Sections" the figure "198.006,"; and

Further amend said bill, Page 1, Section A, Line 12 of said page, by deleting the word "twelve" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 13 of said page, by inserting after the word "sections" the figure "198.006,"; and

Further amend said bill, Page 1, Section A, Line 14 of said page, by deleting the word and figure "and 4" and inserting in lieu thereof the word and figures ", 4 and 5"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by inserting after all of said line the following:

"198.006. As used in sections 198.003 to 198.186, unless the context clearly indicates otherwise, the following terms mean:

(1) "Abuse", the infliction of physical, sexual, or emotional injury or harm;

(2) "Administrator", the person who is in general administrative charge of a facility;

(3) "Affiliate":

(a) With respect to a partnership, each partner thereof;

(b) With respect to a limited partnership, the general partner and each limited partner with an interest of five percent or more in the limited partnership;

(c) With respect to a corporation, each person who owns, holds or has the power to vote, five percent or more of any class of securities issued by the corporation, and each officer and director;

(d) With respect to a natural person, any parent, child, sibling, or spouse of that person;

(4) "Class IAA facility", any facility which maintains a staffing level which is at least ten percent above the minimum staffing levels required for such facility;

(5) "Department", the Missouri department of social services;

[(5)] (6) "Emergency", a situation, physical condition or one or more practices, methods or operations which

presents imminent danger of death or serious physical or mental harm to residents of a facility;

[(6)] (7) "Facility", any residential care facility I, residential care facility II, immediate care facility, or skilled nursing facility;

[(7)] (8) "Health care provider", any person providing health care services or goods to residents and who receives funds in payment for such goods or services under Medicaid;

[(8)] (9) "Intermediate care facility", any premises, other than a residential care facility I, residential care facility II, or skilled nursing facility, which is utilized by its owner, operator, or manager to provide twenty-four hour accommodation, board, personal care, and basic health and nursing care services under the daily supervision of a licensed nurse and under the direction of a licensed physician to three or more residents dependent for care and supervision and who are not related within the fourth degree of consanguinity or affinity to the owner, operator or manager of the facility;

[(9)] (10) "Manager", any person other than the administrator of a facility who contracts or otherwise agrees with an owner or operator to supervise the general operation of a facility, providing such services as hiring and training personnel, purchasing supplies, keeping financial records, and making reports;

[(10)] (11) "Medicaid", medical assistance under section 208.151, RSMo, et seq., in compliance with Title XIX, Public Law 89-97, 1965 amendments to the Social Security Act (42 USC 301 et seq.), as amended;

[(11)] (12) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a resident in a facility, the services which are reasonable and necessary to maintain the physical and mental health of the resident, when such failure presents either an imminent danger to the health, safety or welfare of the resident or a substantial probability that death or serious physical harm would result;

[(12)] (13) "Operator", any person licensed or required to be licensed under the provisions of sections 198.003 to 198.096 in order to establish, conduct or maintain a facility;

[(13)] (14) "Owner", any person who owns an interest of five percent or more in:

(a) The land on which any facility is located;

(b) The structure or structures in which any facility is located;

(c) Any mortgage, contract for deed, or other obligation secured in whole or in part by the land or structure in or on which a facility is located; or

(d) Any lease or sublease of the land or structure in or on which a facility is located. "Owner" does not include a holder of a debenture or bond purchased at public issue nor does it include any regulated lender unless the entity or person directly or through a subsidiary operates a facility;

[(14)] (15) "Resident", a person who by reason of aging, illness, disease, or physical or mental infirmity receives or requires care and services furnished by a facility and who resides or boards in or is otherwise kept, cared for, treated or accommodated in such facility for a period exceeding twenty-four consecutive hours;

[(15)] (16) "Residential care facility I", any premises, other than a residential care facility II, intermediate care facility, or skilled nursing facility, which is utilized by its owner, operator or manager to provide twenty-four hour care to three or more residents, who are not related within the fourth degree of consanguinity or affinity to the owner, operator, or manager of the facility and who need or are provided with shelter, board, and with protective oversight, which may include storage and distribution or administration of medications and care during short-term illness or recuperation;

[(16)] (17) "Residential care facility II", any premises, other than a residential care facility I, an intermediate care facility, or a skilled nursing facility, which is utilized by its owner, operator or manager to provide twenty-four hour accommodation, board, and care to three or more residents who are not related within the fourth degree of consanguinity or affinity to the owner, operator, or manager of the facility, and who need or are provided with supervision of diets, assistance in personal care, storage and distribution or administration of medications, supervision of health care under the direction of a licensed physician, and protective oversight, including care during short-term illness or recuperation;

[(17)] (18) "Skilled nursing facility", any premises, other than a residential care facility I, a residential care facility II, or an intermediate care facility, which is utilized by its owner, operator or manager to provide for twenty-four hour accommodation, board and skilled nursing care and treatment services to at least three residents who are not related within the fourth degree of consanguinity or affinity to the owner, operator or manager of the facility. Skilled nursing care and treatment services are those services commonly performed by or under the supervision of a registered professional nurse for individuals requiring twenty-four hours a day care by licensed nursing personnel including acts of observation, care and counsel of the aged, ill, injured or infirm, the administration of medications and treatments as prescribed by a licensed physician or dentist, and other nursing functions requiring substantial specialized judgment and skill;

[(18)] (19) "Vendor", any person selling goods or services to a health care provider."; and

Further amend said bill, Page 41, Section 4, Line 2 of said page, by inserting after all of said line the following:

"Section 5. 1. Upon request by a facility, the department shall certify a facility as a class IAA facility if such facility maintains a staffing level of at least ten percent above the minimum staffing levels required by state law or regulation. Such certification as a class IAA facility shall be included in the computerized record established in subdivision (1) of subsection 4 of section 198.032, RSMo, and on the internet site accessible through the state web page pursuant to subdivision (2) of subsection 4 of section 198.032, RSMo.

2. The department shall promulgate rules and regulations concerning the certification of facilities as class IAA facilities. No rule or portion of a rule promulgated pursuant to the provisions of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.".

Representative Hohulin moved that House Amendment No. 6 be adopted.

Which motion was defeated by the following vote:

AYES: 069

Akin Ballard Barnett Bartelsmeyer Bennett

Berkstresser Boatright Burton Chrismer Cooper

Crawford DeMarce Dolan Donovan Edwards-Pavia

Elliott Enz Evans Foster Froelker

Gaston Gibbons Graham 106 Gratz Gross

Hall Hartzler 123 Hartzler 124 Hegeman Hendrickson

Hohulin Holand Howerton Kasten Klindt

Legan Levin Linton Loudon Luetkenhaus

Marble McClelland Merideth Miller Murphy

Naeger Nordwald Patek Pouche Pryor

Purgason Reinhart Richardson Robirds Sallee

Scott Secrest Sheldon 104 Shelton 57 Shields

Steen Summers Surface Thomason 163 Townley

Vogel Wannenmacher Williams 159 Wooten

NOES: 072

Alter Auer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Broach

Campbell Champion Cierpiot Clayton Crump

Daniels 41 Davis 122 Davis 63 Days Dougherty

Farnen Fitzwater Foley Franklin Graham 24

Griesheimer Gunn Hagan-Harrell Harlan Heckemeyer

Hilgemann Hollingsworth Hosmer Johnson Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Lakin

Lawson Lograsso May 108 Mays 50 McBride

McLuckie Monaco Murray O'Connor O'Toole

Ostmann Overschmidt Parker Ransdall Relford

Reynolds Ridgeway Ross Scheve Schilling

Seigfreid Skaggs Smith Stokan Stoll

Stroker Thompson 72 Van Zandt Wiggins Williams 121

Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 021

Backer Carter Copeland Daniel 42 Ford

Fritts Gaskill Green Hickey Hoppe

Koller Kreider Leake Liese Long

Rizzo Schwab Shear Thompson 37 Treadway

Troupe

VACANCIES: 001

On motion of Representative Ladd Stokan, HCS HB 1749, as amended, was adopted.

On motion of Representative Ladd Stokan, HCS HB 1749, as amended, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred HB 1020, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred SB 588, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred SB 641, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Elections, Chairman Days reporting:

Mr. Speaker: Your Committee on Elections, to which was referred SCR 36, begs leave to report it has examined the same and recommends that it Do Pass.

Committee on Workers Compensation and Employment Security, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred SB 981, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND Senate Bill No. 981, Page 1, Section 287.210, Line 3, by inserting after the word "insurer," the following: "the state through the central accident reporting office or the second injury fund or its legal counsel,".

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1001.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HB 1002, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 1998 and ending June 30, 1999.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HB 1003, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1998 and ending June 30, 1999.

With Senate Amendment No. 1 and Senate Amendment No. 2

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1003, Page 14, Section 3.145, Line 2 to 9, by deleting said lines and inserting in lieu thereof the following:

"For operation of its various campuses and programs

Personal Service and Expense and Equipment

From General Revenue Fund $360,662,438

From Lottery Proceeds Fund . . 34,312,296

For the purpose of funding the Capsule Pipeline

Research Project

From General Revenue Fund 300,000

For payment of refunds set off against debt as required by

Section 143.786 RSMo

From Debt Offset Escrow Fund. 1E

Total $395,274,735"

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1003, Page 8, Section 3.090, Line 4, by deleting the number "95,065,655" and inserting in lieu thereof the number "95,273,655" ; and further amend said section, line 16, by deleting the number "134,036,407" and inserting in lieu thereof the number "134,244,407".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HB 1004, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 1998 and ending June 30, 1999.

With Senate Amendment No. 1 and Senate Amendment No. 2

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1004, Page 29, Section 4.285, by inserting immediately after said section the following new section:

"Section 4.288. To the Department of Transportation

For the Transit Program

For the purpose of providing matching funds for grants received

by local governments under Section 5309, Title 49,

United States Code for a feasibility study and preliminary

engineering associated with development of commuter

rail service. No state funds are to be expended until

federal funds are received.

From General Revenue Fund . .. . $262,500"

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1004, Page 14, Section 4.040, Line 3, by inserting immediately after the number "318,792,419" the letter "E".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HB 1005, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1998 and ending June 30, 1999.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

and passed SCS HCS HB 1006, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1998 and ending June 30, 1999.

With Senate Amendment No. 1 and Senate Amendment No. 2

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1006, Page 6, Section 6.040, Line 4, by deleting the number "609,746" and inserting in lieu thereof the number "709,746", and

further amend said section, line 5, by deleting the number "1,535,206" and inserting in lieu thereof the number "1,635,206", and

further amend said section, line 9, by deleting the number "1,705,703" and inserting in lieu thereof the number "1,805,703".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1006, Page 31, Section 6.322, Line 6, by adding after the word "Representatives" the words "from the non-attainment area" and line 8, after the word "Senate" the words "from the non-attainment area".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HB 1007, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and the Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1998 and ending June 30, 1999.

With Senate Amendment No. 1 and Senate Amendment No. 2

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1007, Page 3, Section 7.030, Line 16, by adding immediately after said line, the following:

"Concurrent with this appropriation, the Department of Economic Development is hereby instructed to conduct an analysis of the viability and results of the Small Business Development Center system in Missouri and make recommendations to the General Assembly regarding the most cost effective way to provide state support for Small Business Development Centers.".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1007, Page 16, Section 7.090, Line 7, by deleting the number "249,827" and inserting in lieu thereof the number "202,727" and further

amend said section, line 9, by deleting the number "423,702" and inserting in lieu thereof the number "376,602" and

further amend said section, line 12, by deleting said line and inserting in lieu thereof the following new line:

"Total (Not to exceed 7.00 F.T.E.) $3,884,537".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HB 1008, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1998 and ending June 30, 1999.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HB 1009, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1998 and ending June 30, 1999.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HB 1010, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health, and the several divisions and programs thereof and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1998 and ending June 30, 1999.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1010, Page 33, Section 10.645, by inserting immediately after said section the following new section:

"Section 10.647. To the Department of Health

For the Office of the Director

For Rural Health Science Careers

Personal Service and/or Expense and Equipment

From General Revenue Fund $41,000".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HB 1011, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the beginning July 1, 1998 and ending June 30, 1999.

With Senate Amendment No. 1 and Senate Amendment No. 2

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1011, Page 40, Section 11.620, Line 8, by deleting the number "6,367,180" and inserting in lieu thereof the number "7,267,180" and

further amend said section, line 9, by deleting the number "27,400,000" and inserting in lieu thereof the number "27,700,000" and

further amend said section, line 11, by deleting the number "34,197,180" and inserting in lieu thereof the number "35,397,180".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1011, Pages 1 & 2, Section 11.005, Line 6 of said section, by deleting the number "186,693" and inserting in lieu thereof the number "181,693" and

further amend said section by inserting immediately after said line the following: "For expenses of the specific duties of Prince Hall Advisory Board $5,000".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HB 1012, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement System, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, the Committee on Public Employee retirement, the Committee on Administrative Rules, the Joint Committee on Capital Improvements Oversight and the Joint Committee on Economic Development; and for the expenses of the interim committees established by the General Assembly, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1998 and ending June 30, 1999.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, April 21, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-fifth Day, Thursday, April 16, 1998, pages 1075 and 1076, roll call, by showing Representatives Franklin, Kelly (27) and Naeger voting "aye" rather than "absent with leave".

Pages 1076 and 1077, roll call, by showing Representatives Kelly (27) and Naeger voting "aye" rather than "absent with leave".

Pages 1078 and 1079, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1082 and 1083, roll call, by showing Representative Secrest voting "aye" rather than "absent with leave".

Pages 1082 and 1083, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 1083 and 1084, roll call, by showing Representatives Chrismer and Franklin voting "aye" rather than "absent with leave".

Page 1085, roll call, by showing Representatives Bennett (15), Davis (63) and Edwards-Pavia voting "no" rather than "absent with leave".

Page 1085, roll call, by showing Representative Richardson voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Tuesday, April 21, 1998. Side gallery upon morning adjournment. Executive session.

AGRICULTURE

Wednesday, April 22, 1998. Hearing Room 9 upon morning adjournment.

To be considered - Executive Session - SB 596

BUDGET

Tuesday, April 21, 1998, 8:30 am. Hearing Room 9. Executive session on

bills in budget. AMENDED

To be considered - HB 1564, HB 1126, HB 1317, HB 1684

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 21, 1998. Hearing Room 8 upon morning adjournment.

To be considered - SB 780, Executive Session - SB 781

INSURANCE

Tuesday, April 21, 1998, 9:00 am. Hearing Room 8. Executive session will follow.

To be considered - HCR 23, SB 722

JUDICIARY

Tuesday, April 21, 1998. Hearing Room 5 upon morning adjournment.

Executive session may follow.

To be considered - SB 680, SB 589

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 21, 1998. Hearing Room 1 and 2 upon morning adjournment.

Executive session.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 21, 1998, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 498

WAYS AND MEANS

Tuesday, April 21, 1998, 1:00 pm. Hearing Room 6. Executive session may follow.

To be considered - SB 936, SB 849, SB 524

HOUSE CALENDAR

Fifty-eighth Day, Tuesday, April 21, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 35 - Parker

HCS HJR 53 - Backer

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1020 - Franklin

HOUSE BILLS FOR PERFECTION

1 HCS HB 1643 - Monaco

2 HCS HB 1736 - Riback Wilson

3 HCS HB 1626 - Thomason (163)

4 HCS HB 1891 - Crump

5 HB 1782 - Kennedy

6 HCS HB 1488 - Williams (121)

7 HCS HB 1124 - Shear

8 HB 1796, HCA 1 - Harlan

9 HB 1380 - Kreider

10 HB 962 - Backer

11 HB 1202 - Bartlett

12 HCS HB 1138 - Leake

13 HCS HB 907 - Hosmer

14 HCS HB 1375 - May (108)

15 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

16 HB 958 - Liese

17 HCS HB 1153 - Backer

18 HCS HB 1534 - Graham (24)

19 HCS HB 1277 & 900 - Gunn

20 HCS HB 924 - McLuckie

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310, HSA1 for HA4, HA4, HS, a.a., pending - Dougherty

HCS HB 1674, HS, as amended, pending, - Rizzo

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1258, (Budget Fiscal 4-6-98) - Bland

3 HS HCS HB 1317, (Budget Fiscal 4-14-98) - Fritts

4 HCS HB 1537, (Budget Fiscal 4-14-98) - Troupe

5 HB 1126, (Budget Fiscal 4-13-98) - Thomason (163)

6 HB 1564, (Budget Fiscal 4-13-98) - Relford

7 HCS HB 1684, (Budget Fiscal 4-15-98) - Hollingsworth

8 HS HCS HB 1051 & 1276, (Budget Fiscal 4-16-98) - May (108)

9 HCS HB 964, (Budget Fiscal 4-20-98) - Barry

HOUSE BILL FOR THIRD READING - INFORMAL

HB 1610, - DeMarce - (CONSENT)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HB 1822, E.C.(Budget Fiscal 4-15-98) - Kelly (27)

SENATE BILLS FOR THIRD READING - CONSENT

1 SB 580 - Hoppe

2 SB 832 - Hoppe

3 HCS SB 917 - Hoppe

(April 15, 1998)

4 SB 870 - Carter

5 SCS SB 649 - Luetkenhaus

6 SB 828 - Rizzo

7 SB 829 - Rizzo

8 SB 551 - Cooper

9 HCS SB 839 - Luetkenhaus

10 SB 884 - Gratz

11 SB 940 - Stoll

12 HCS SB 739 - Stoll

(April 16, 1998)

13 HCS SB 786 - Monaco

14 SCS SB 470 - Smith

15 SB 701 - Overschmidt

16 SB 861 - Leake

17 SB 719 - Monaco

18 SB 819 - Hoppe

19 SB 631 - Smith

20 SB 793 - Purgason

21 HCS SB 809 -

22 HCS SB 676 -

23 SB 900 - Smith

24 HCS SB 778 -

25 SB 517 -

26 HCS SB 898 -

27 SCS SB 496 - Gibbons

28 HCS SB 844, E.C. - May (108)

29 SCS SB 604 - Scott

30 HCS SB 963 - Gunn

31 SB 558 - Van Zandt

32 HCS SB 526 - Berkstresser

33 SCS SB 536 - Williams (121)

34 HCS SCS SB 610 & 835 - Gaskill

35 HCS SB 970 - Leake

36 SCS SB 897 - Leake

37 SB 941 - Carter

38 HCS SCS SB 634, E.C. - Hosmer

39 SCS SB 790 - May (108)

SENATE BILLS FOR THIRD READING

1 HCS SB 883, (Budget Fiscal 4-20-98) - Koller

2 SS#2 SCS SB 632, (Budget Fiscal 4-20-98) - Lakin

3 SB 473 - Rizzo

4 HCS SS SB 724 - Wilson

5 HCS SB 854 - Relford

HOUSE BILLS WITH SENATE AMENDMENTS

1 SCS HCS HB 1002 - Lakin

2 SCS HCS HB 1003, as amended - Lakin

3 SCS HCS HB 1004, as amended - Green

4 SCS HCS HB 1005 - Green

5 SCS HCS HB 1006, as amended - Scheve

6 SCS HCS HB 1007, as amended - Scheve

7 SCS HCS HB 1008 - Lakin

8 SCS HCS HB 1009 - Troupe

9 SCS HCS HB 1010, as amended - Carter

10 SCS HCS HB 1011, as amended - Troupe

11 SCS HCS HB 1012 - Lakin/Green

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

HR 325, (April 9, 1998, pg. 1001) - Harlan



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House Journal

Second Regular Session, 89th General Assembly

SIXTIETH DAY, Thursday, April 23, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"Be doers of the word and not hearers only." (James. 1:22).

This morning we remember the annual observance of the Holocaust, Yom HaShoah, with its horrific memories and the efforts being made to bring healing and forgiveness and the change of heart that will prevent anything like it from being tolerated again. Our world continues to be too full of examples of people in positions of power who continue to kill or curtail the rights and dignity of others and examples of others in places of influence who let it happen for whatever reasons.

We pray, Creator of all, Source of our life and dignity, that today and when we go home this weekend, and will watch every word, every thought and gesture in ourselves and others which might be genuinely offensive to reasonable people, whether it arises from race, gender or religious sources. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nicolas Perry, Carissa Perry, Kip Vaughan, Emily Vaughan, Zachary Ross, Maria Ross, Nathan Ross, Brian Wayman, Jennifer Jackson, Michael Kauffman, Melinda Smith, David Schmitt, Kim Edele, Ben Pepin, Kara Walser, Sharayah Gilbert, Jessica Lachance, Natalie Hall, Emily Marler, Dwayne Hemmer, Tom Heppermann, Keith Widamann, Amanda Strunk, Brandie Amsden, Elizabeth Yates, Bethany Joy Weger, Gabriel David Weger, Joshua Paul Weger, James O'Connell, Lindsey Auer, Kristy Burmeister, Lindsay Monaco, Lisa Monaco and Demetrius Smith.

The Journal of the fifty-ninth day was approved as corrected.

RESOLUTIONS

Representative Dolan offered House Resolution No. 1039, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Farnen offered House Resolution No. 1040, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1041, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Secrest offered House Resolution No. 1042, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Merideth offered House Resolution No. 1043 and House Resolution No. 1044, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelly (27) offered House Resolution No. 1045, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1046 through House Resolution No. 1048, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stroker offered House Resolution No. 1049, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Griesheimer and Overschmidt offered House Resolution No. 1050 and House Resolution No. 1051, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Griesheimer and Froelker offered House Resolution No. 1052 and House Resolution 1053, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Griesheimer and Overschmidt offered House Resolution No. 1054, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Griesheimer offered House Resolution No. 1055, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Griesheimer and Overschmidt offered House Resolution No. 1056, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ransdall offered House Resolution No. 1057, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Chrismer offered House Resolution No. 1058, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILL

HB 1949 was read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS SCS SBs 610 & 835 (Consent)**, begs leave to report it has examined the same and recommends that it **be returned to the committee of origin.**

THIRD READING OF SENATE BILLS - CONSENT

SCS SB 470, relating to abuse and neglect reports, was taken up by Representative Green.

On motion of Representative Green, **SCS SB 470** was truly agreed to and finally passed by the following vote:

AYES: 160

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Davis 63

PRESENT: 000

ABSENT WITH LEAVE: 001

Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Davis (122) moved that motion lay on the table.

The latter motion prevailed.

HCS SB 786, relating to human rights, was taken up by Representative Monaco.

On motion of Representative Monaco, **HCS SB 786** was adopted.

On motion of Representative Monaco, **HCS SB 786** was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Barnett
Barry 100 Bartlett Bennett Berkstresser Bland
Bonner Boucher Bray 84 Broach Burton
Campbell Carter Champion Chrismer Cierpiot
Clayton Cooper Copeland Crawford Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Leake Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 008

Ballard Bartelsmeyer Boatright Froelker Miller
Pryor Purgason Scott

PRESENT: 000

ABSENT WITH LEAVE: 005

Bauer Hilgemann Lawson Legan Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Barry , title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

SB 701, relating to public assistance assets, was taken up by Representative Overschmidt.

On motion of Representative Overschmidt, **SB 701** was truly agreed to and finally passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Stokan

PRESENT: 000

ABSENT WITH LEAVE: 005

Bauer Cooper Linton Scott Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative DeMarce , title to the bill was agreed to.

Representative Bland moved that the vote by which the bill passed be reconsidered.

Representative Bartlett moved that motion lay on the table.

The latter motion prevailed.

SB 861, relating to transportation development districts, was taken up by Representative Leake.

On motion of Representative Leake, **SB 861** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gibbons Graham 106 Graham 24 Gratz Griesheimer
Gross Gunn Hagan-Harrell Harlan Hartzler 123
Hartzler 124 Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Leake Legan Levin
Liese Lograsso Long Loudon Luetkenhaus
Marble May 108 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Secrest
Seigfreid Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 003

Edwards-Pavia Gaston Hall

PRESENT: 000

ABSENT WITH LEAVE: 008

Green Heckemeyer Lawson Linton Mays 50
Scott Shear Sheldon 104

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Johnson moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

SB 719, relating to mortgage insurance, was taken up by Representative Monaco.

On motion of Representative Monaco, **SB 719** was truly agreed to and finally passed by the following vote:

AYES: 159

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 002

Linton Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Fritts, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Hoppe moved that motion lay on the table.

The latter motion prevailed.

SB 819, relating to salaries of prosecutors, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **SB 819** was truly agreed to and finally passed by the following vote:

AYES: 129

Akin Alter Backer Barry 100 Bartlett

Bauer Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Cierpiot Clayton Cooper Copeland

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hegeman Hendrickson

Hickey Hilgemann Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Luetkenhaus May 108 Mays 50

McBride McClelland McLuckie Merideth Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Scheve Schilling

Schwab Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Stokan Stoll

Stroker Summers Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Vogel Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 026

Ballard Barnett Bartelsmeyer Bennett Berkstresser

Chrismer Crawford Edwards-Pavia Froelker Hartzler 124

Hohulin Holand Klindt Long Loudon

Marble Miller Murphy Pryor Ross

Sallee Scott Steen Surface Townley

Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 007

Auer Donovan Heckemeyer Lograsso Purgason

Shear Wiggins

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Graham (24) moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

SB 631, relating to state records, was taken up by Representative Smith.

On motion of Representative Smith, **SB 631** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Lakin
Lawson Leake Legan Levin Liese
Linton Long Loudon Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 007

Donovan Kreider Lograsso Luetkenhaus Shear
Stokan Wiggins

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hilgemann, title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

SB 793, relating to elderly home delivered meals trust fund, was taken up by Representative Purgason.

On motion of Representative Purgason, **SB 793** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Shelton 57 Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bland Hartzler 123 Lograsso Shear Sheldon 104
Shields Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

HCS SB 809, relating to municipal boundaries, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HCS SB 809** was adopted.

On motion of Representative Hoppe, **HCS SB 809** was read the third time and passed by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Liese Linton
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Reinhart
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Shelton 57 Shields Skaggs
Smith Steen Stoll Stroker Summers
Surface Thomason 163 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 006

Edwards-Pavia Levin Murphy Ransdall Relford

Reynolds

PRESENT: 000

ABSENT WITH LEAVE: 006

Bauer Lograsso Shear Sheldon 104 Stokan

Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Leake, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Kissell moved that motion lay on the table.

The latter motion prevailed.

HCS SB 676, relating to county commissions, was taken up by Representative Pouche.

Representative Pouche requested a division of the question on the **HCS SB 676**.

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Representative Crump raised a point of order that the request for a division of the question was out of order under Rule 78 and 65(e).

The Chair ruled the point of order not well taken.

Representative Pouche withdrew his request for a division of the question.

On motion of Representative Pouche, **HCS SB 676** was adopted by the following vote:

AYES: 119

Auer Backer Barry 100 Bartelsmeyer Bartlett

Bauer Bennett Bland Bonner Boucher

Bray 84 Burton Campbell Carter Cierpiot

Clayton Cooper Copeland Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Dougherty Elliott Enz Evans

Farnen Foley Ford Foster Franklin

Fritts Gaskill Graham 106 Graham 24 Gratz

Green Griesheimer Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Johnson Kauffman Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Luetkenhaus May 108 Mays 50 McBride

McLuckie Merideth Monaco Murray Naeger

Nordwald O'Connor O'Toole Overschmidt Parker

Patek Pouche Ransdall Relford Reynolds

Richardson Ridgeway Rizzo Robirds Sallee

Schilling Schwab Seigfreid Shields Skaggs

Smith Stokan Stoll Stroker Summers

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 033

Alter Ballard Barnett Boatright Broach

Champion Chrismer Crawford Donovan Edwards-Pavia

Froelker Gibbons Gross Howerton Kasten

Kelley 47 Linton Lograsso Long Loudon

Marble McClelland Miller Murphy Pryor

Purgason Ross Scott Secrest Shelton 57

Steen Surface Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 010

Akin Berkstresser Fitzwater Gaston Hall

Ostmann Reinhart Scheve Shear Sheldon 104

VACANCIES: 001

On motion of Representative Pouche, **HCS SB 676** was read the third time and passed by the following vote:

AYES: 139

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bland

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Days
DeMarce Dolan Donovan Dougherty Elliott
Enz Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Levin Liese Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McLuckie
Merideth Miller Monaco Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Sallee Scheve Schilling
Schwab Secrest Seigfreid Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Williams 121 Williams 159 Wooten Mr. Speaker

NOES: 013

Ballard Edwards-Pavia Evans Gaston Gibbons
Linton Lograsso McClelland Murphy Pryor
Ross Scott Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 010

Bennett Berkstresser Davis 63 Hall Legan
Shear Sheldon 104 Thompson 37 Wiggins Wilson

VACANCIES: 100

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Luetkenhaus moved that motion lay on the table.

The latter motion prevailed.

SB 900, relating to takings analysis, was taken up by Representative Smith.

On motion of Representative Smith, **SB 900** was truly agreed to and finally passed by the following vote:

AYES: 141

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartlett Bauer Berkstresser
Bland Boatright Bonner Boucher Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Howerton
Johnson Kasten Kauffman Kelly 27 Kennedy
Kissell Klindt Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland Merideth Miller
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Shelton 57 Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thompson 37 Thompson 72 Treadway Troupe Van Zandt
Vogel Wannenmacher Williams 121 Williams 159 Wooten

Mr. Speaker

NOES: 007

Bray 84 Harlan Hosmer Koller McLuckie
Monaco Wilson

PRESENT: 000

ABSENT WITH LEAVE: 014

Bartelsmeyer Bennett Hall Kelley 47 Lograsso
Reynolds Richardson Ridgeway Shear Sheldon 104
Shields Thomason 163 Townley Wiggins

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Parker, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Seigfreid moved that motion lay on the table.

The latter motion prevailed.

Representative Smith assumed the Chair.

HCS SB 778, relating to property tax collection, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HCS SB 778** was adopted.

On motion of Representative Hoppe, **HCS SB 778** was read the third time and passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Lakin Lawson
Leake Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
O'Connor O'Toole Overschmidt Parker Patek
Pouche Purgason Ransdall Reinhart Relford
Reynolds Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 001

Legan

PRESENT: 000

ABSENT WITH LEAVE: 010

Copeland Crawford Kreider Nordwald Ostmann
Pryor Richardson Shear Sheldon 104 Thomason 163

VACANCIES: 001

Representative Smith declared the bill passed.

On motion of Representative Rizzo, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

SB 517, relating to housing cooperatives, was taken up by Representative Klindt.

On motion of Representative Klindt, **SB 517** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin Alter Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bennett Bland
Boatright Bonner Boucher Bray 84 Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Dougherty Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Ridgeway Rizzo Robirds
Ross Scheve Schilling Schwab Scott
Secrest Seigfreid Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Auer Bauer Berkstresser Donovan Heckemeyer
Nordwald Richardson Sallee Shear Sheldon 104
Thomason 163

VACANCIES: 001

Representative Smith declared the bill passed.

On motion of Representative Ladd Stokan, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

HCS SB 898, relating to volunteer fire protection, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HCS SB 898** was adopted.

On motion of Representative Hoppe, **HCS SB 898** was read the third time and passed by the following vote:

AYES: 147

Akin Alter Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Hegeman
Hendrickson Hickey Hilgemann Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lawson Leake

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Ridgeway Rizzo Robirds Ross Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Auer Heckemeyer Hohulin Lakin Legan

Lograsso Mays 50 Nordwald Richardson Sallee

Shear Sheldon 104 Shields Thomason 163 Williams 121

VACANCIES: 001

Representative Smith declared the bill passed.

On motion of Representative Riback Wilson, title to the bill was agreed to.

Representative Stroker moved that the vote by which the bill passed be reconsidered.

Representative Crump moved that motion lay on the table.

The latter motion prevailed.

SCS SB 496, relating to antique firearms, was taken up by Representative Gibbons.

On motion of Representative Gibbons, **SCS SB 496** was truly agreed to and finally passed by the following vote:

AYES: 147

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Bland Boatright Bonner Boucher Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Ridgeway Rizzo Robirds Ross

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stoll Stroker Summers Surface

Thomason 163 Thompson 72 Townley Treadway Troupe

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wooten Mr. Speaker

NOES: 003

Bray 84 Van Zandt Wilson

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer Berkstresser Harlan Hickey Lawson

Nordwald Richardson Sallee Shear Sheldon 104

Stokan Thompson 37

VACANCIES: 001

Representative Smith declared the bill passed.

On motion of Representative Murray, title to the bill was agreed to.

Representative Parker moved that the vote by which the bill passed be reconsidered.

Representative Boucher moved that motion lay on the table.

The latter motion prevailed.

HCS SB 844, relating to limited liability, was taken up by Representative May (108).

On motion of Representative May (108), **HCS SB 844** was adopted.

On motion of Representative May (108), **HCS SB 844** was read the third time and passed by the following vote:

AYES: 151

Akin Alter Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 124 Heckemeyer Hegeman Hendrickson
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Koller
Kreider Lakin Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Auer Crump Hartzler 123 Hickey Klindt

Lawson Nordwald Richardson Shear Sheldon 104

Stokan

VACANCIES: 001

Representative Smith declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Bonner Boucher Bray 84

Burton Campbell Carter Champion Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Elliott Enz

Evans Farnen Fitzwater Foley Ford

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hendrickson Hickey

Hilgemann Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Miller Monaco Murphy Murray

Naeger O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Ransdall Relford

Reynolds Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 016

Akin Boatright Broach Chrismer Edwards-Pavia

Foster Gross Hegeman Hohulin Holand

Lograsso Merideth Pryor Purgason Reinhart

Steen

PRESENT: 000

ABSENT WITH LEAVE: 004

Dougherty Nordwald Richardson Shear

VACANCIES: 001

On motion of Representative Bonner, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

SCS SB 604, relating to motor fuel tax refund, was taken up by Representative Scott.

On motion of Representative Scott, **SCS SB 604** was truly agreed to and finally passed by the following vote:

AYES: 142

Akin Alter Backer Ballard Barnett

Barry 100 Bartlett Bauer Bennett Bland

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Ridgeway Rizzo Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Stoll Stroker Summers Surface

Thomason 163 Thompson 72 Townley Treadway Troupe

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Auer Bartelsmeyer Berkstresser Copeland Donovan

Fitzwater Harlan Lakin Lograsso Murray

Nordwald Richardson Robirds Shear Sheldon 104

Steen Stokan Thompson 37 Van Zandt Mr. Speaker

VACANCIES: 001

Representative Smith declared the bill passed.

On motion of Representative Carter, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Bauer moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider resumed the Chair.

HCS SB 963, relating to certificate of need, was taken up by Representative Evans.

On motion of Representative Evans, **HCS SB 963** was adopted.

On motion of Representative Evans, **HCS SB 963** was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lawson Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Shields

ABSENT WITH LEAVE: 008

Crawford Crump Hartzler 123 Lakin Nordwald
Shear Thompson 37 Williams 159

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Barry moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

Representative Green assumed the Chair.

SB 558, relating to sales/use tax, was taken up by Representative Van Zandt.

On motion of Representative Van Zandt, **SB 558** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bennett
Boatright Bonner Boucher Bray 84 Broach
Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lawson Leake Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bauer Berkstresser Bland Crump Lakin
Legan Nordwald Shear Steen Thompson 37
Williams 121

VACANCIES: 001

Representative Green declared the bill passed.

On motion of Representative Gunn, title to the bill was agreed to.

Representative Fritts moved that the vote by which the bill passed be reconsidered.

Representative Graham (24) moved that motion lay on the table.

The latter motion prevailed.

HCS SB 526, relating to lodging establishments, was taken up by Representative Berkstresser.

On motion of Representative Berkstresser, **HCS SB 526** was adopted.

On motion of Representative Berkstresser, **HCS SB 526** was read the third time and passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Copeland Crump Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lawson Leake
Legan Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 002

Daniel 42 Thompson 37

PRESENT: 000

ABSENT WITH LEAVE: 009

Cooper Crawford Lakin Levin Nordwald

Shear Steen Stokan Vogel

VACANCIES: 001

Representative Green declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Harlan moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

SCS SB 536, relating to fireworks regulation, was taken up by Representative Williams (121).

On motion of Representative Williams (121), **SCS SB 536** was truly agreed to and finally passed by the following vote:

AYES: 084

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Broach Campbell

Carter Clayton Copeland Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days Donovan

Dougherty Farnen Fitzwater Foley Franklin

Fritts Graham 24 Green Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Hickey Hilgemann

Hollingsworth Hoppe Hosmer Howerton Kauffman

Kelly 27 Kennedy Kreider Lakin Lawson

Leake Liese Luetkenhaus May 108 Mays 50

McBride McClelland McLuckie Monaco Murray

O'Connor O'Toole Ostmann Overschmidt Parker

Ransdall Relford Reynolds Rizzo Robirds

Scheve Schilling Seigfreid Shelton 57 Skaggs

Smith Stokan Stoll Stroker Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 073

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Bonner Burton

Champion Chrismer Cierpiot Cooper Crawford

DeMarce Dolan Edwards-Pavia Elliott Enz

Evans Foster Froelker Gaskill Gaston

Gibbons Graham 106 Gratz Griesheimer Gross

Hall Heckemeyer Hegeman Hendrickson Hohulin

Holand Johnson Kasten Kelley 47 Kissell

Klindt Koller Legan Levin Linton

Lograsso Long Loudon Marble Merideth

Miller Murphy Naeger Patek Pouche

Pryor Purgason Reinhart Richardson Ridgeway

Ross Sallee Schwab Scott Secrest

Shields Steen Summers Surface Townley

Vogel Wannenmacher Wiggins

PRESENT: 000

ABSENT WITH LEAVE: 005

Ford Nordwald Shear Sheldon 104 Wooten

VACANCIES: 001

Representative Green declared the bill passed.

On motion of Representative Hollingsworth, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw assumed the Chair.

HCS SB 970, relating to Missouri agricultural and small business, was taken up by Representative Leake.

On motion of Representative Leake, **HCS SB 970** was adopted.

On motion of Representative Leake, **HCS SB 970** was read the third time and passed by the following vote:

AYES: 144

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dougherty Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland Merideth
Miller Monaco Murray Naeger O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Shelton 57
Shields Skaggs Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Williams 159 Wilson Mr. Speaker

NOES: 004

Edwards-Pavia Hohulin Murphy Smith

PRESENT: 000

ABSENT WITH LEAVE: 014

Dolan Donovan Hall Harlan Holand
Kauffman McLuckie Nordwald Shear Sheldon 104
Thompson 37 Wiggins Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Luetkenhaus, title to the bill was agreed to.

Representative Lawson moved that the vote by which the bill passed be reconsidered.

Representative Kissell moved that motion lay on the table.

The latter motion prevailed.

SCS SB 897, relating to University of Missouri, was taken up by Representative Leake.

On motion of Representative Leake, **SCS SB 897** was truly agreed to and finally passed by the following vote:

AYES: 143

Akin Alter Backer Ballard Barnett
Barry 100 Bartelsmeyer Bauer Bennett Berkstresser
Boatright Bonner Boucher Bray 84 Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Monaco Murphy Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Shields Smith Steen Stokan

Stroker Summers Surface Thomason 163 Townley

Treadway Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wilson Mr. Speaker

NOES: 003

Hall Hohulin Thompson 37

PRESENT: 000

ABSENT WITH LEAVE: 016

Auer Bartlett Bland Dougherty Holand

Kreider Miller Nordwald Shear Sheldon 104

Skaggs Stoll Thompson 72 Troupe Williams 121

Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

SB 941, relating to public assistance eligibility, was taken up by Representative Carter.

On motion of Representative Carter, **SB 941** was truly agreed to and finally passed by the following vote:

AYES: 140

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser
Bland Bonner Boucher Bray 84 Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Copeland Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Harlan Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Koller Lakin
Lawson Leake Legan Levin Liese
Linton Long Loudon Luetkenhaus May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 72
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 013

Ballard Boatright Crawford Edwards-Pavia Froelker
Hall Hartzler 123 Hohulin Klindt Lograsso
Marble Robirds Townley

PRESENT: 000

ABSENT WITH LEAVE: 009

Bennett Holand Kreider Nordwald Pryor
Shear Sheldon 104 Thompson 37 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Wiggins, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Hickey moved that motion lay on the table.

The latter motion prevailed.

HCS SCS SB 634, relating to zero tolerance, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HCS SCS SB 634** was adopted.

On motion of Representative Hosmer, **HCS SCS SB 634** was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Shields
Skaggs Smith Steen Stokan Stroker
Summers Surface Thomason 163 Thompson 72 Townley
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 005

Bland Gunn Shelton 57 Thompson 37 Treadway

PRESENT: 000

ABSENT WITH LEAVE: 008

Kreider Lograsso Nordwald O'Connor Shear
Sheldon 104 Stoll Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Berkstresser Boatright Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Lakin Lawson Leake Legan

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shields Skaggs Smith

Steen Stokan Stroker Summers Surface

Thomason 163 Thompson 72 Townley Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 004

Bland Gunn Shelton 57 Treadway

PRESENT: 000

ABSENT WITH LEAVE: 011

Bennett Crawford Kreider Lograsso Naeger

Nordwald Shear Sheldon 104 Stoll Thompson 37

Wooten

VACANCIES: 001

On motion of Representative Riback Wilson, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Kennedy moved that motion lay on the table.

The latter motion prevailed.

SCS SB 790, relating to discrimination actions against dentists, was taken up by Representative May (108).

On motion of Representative May (108), **SCS SB 790** was truly agreed to and finally passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stroker

Summers Surface Thomason 163 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Crawford Dolan Kreider Lograsso Nordwald

Patek Shear Sheldon 104 Stokan Stoll

Thompson 37 Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Hagan-Harrell moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HCS HB 1002: Representatives Franklin, Williams (121), Lakin, Kauffman and Legan.

SCS HCS HB 1003: Representatives Franklin, Williams (121), Lakin, Kauffman and Cooper.

SCS HCS HB 1004: Representatives Franklin, Williams (121), Green, Gross and Legan.

SCS HCS HB 1005: Representatives Franklin, Williams (121), Green, Wooten and Gross.

SCS HCS HB 1006: Representatives Franklin, Williams (121), Scheve, Cooper and Graham (106).

SCS HCS HB 1007: Representatives Franklin, Williams (121), Scheve, Cooper and McClelland.

SCS HCS HB 1008: Representatives Franklin, Williams (121), Lakin, Burton and Cooper.

SCS HCS HB 1009: Representatives Franklin, Williams (121), Troupe, Kelley (47) and Kasten.

SCS HCS HB 1010: Representatives Franklin, Schilling, Carter, Burton and Shields.

SCS HCS HB 1011: Representatives Franklin, Williams (121), Troupe, Kelley (47) and Chrismer.

SCS HCS HB 1012: Representatives Franklin, Green, Lakin, Burton and Legan.

THIRD READING OF HOUSE BILL

HCS HB 1643, relating to long-term care facilities, was taken up by Representative Monaco.

On motion of Representative Monaco, **HCS HB 1643** was read the third time and passed by the following vote:

AYES: 144

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hoppe Hosmer Howerton Johnson Kasten

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Lakin Lawson Leake Legan

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stroker Summers Surface Thompson 72

Townley Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Boatright Dolan Hollingsworth Kauffman Kreider

Lograsso Nordwald Sallee Scheve Shear

Sheldon 104 Stokan Stoll Thomason 163 Thompson 37

Treadway Williams 121 Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

PERFECTING OF HOUSE BILL

HCS HB 1891, relating to carrying concealed firearms, was taken up by Representative Crump.

Representative Crump offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1891, Page 7, Section 571.093, Line 3, by deleting the word "**eighteen**" and inserting in lieu thereof the word "**twenty-one**"; and

Further amend said bill, Page 7, Section 571.093, Line 33, by inserting immediately after the word "**resides**" the following: "**, except in a county of the first classification with a charter form of government with a population in excess of nine hundred thousand inhabitants, in which case, the application shall be made to the chief of police of the county police department. For the purposes of this section, "sheriff" shall include the chief of police of the county police department of a county of the first classification with a charter form of government with a population in excess of nine hundred thousand inhabitants**"; and

Further amend said bill, Page 8, Section 571.093, Line 64, by deleting the number "**(2)**" and inserting in lieu thereof the number "**(9)**"; and

Further amend said bill, Page 11, Section B, Line 8, by deleting the word "eighteen" and inserting in lieu thereof the word "twenty-one".

On motion of Representative Crump, House Amendment No. 1 was adopted.

Representative Ballard offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1891, Page 11, Section B, Lines 1-11, by deleting Section B, lines 1-11.

Representative Ballard moved that House Amendment No. 2 be adopted.

Which motion was defeated.

On motion of Representative Crump, **HCS HB 1891, as amended,** was adopted.

On motion of Representative Crump, **HCS HB 1891, as amended,** was ordered perfected and printed.

HOUSE RESOLUTIONS

HR 325, relating to use of chamber, was taken up by Representative Harlan.

On motion of Representative Harlan, **HR 325** was adopted.

COMMITTEE REPORTS

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred **HCS SS SCS SBs 583 & 645**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Critical Issues, to which was referred **HCS SS SCS SB 754**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **SCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 680**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **SS SCS SB 627**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1950, introduced by Representative Loudon, relating to the liability of public entities.

HB 1951, introduced by Representative Bennett, relating to campaign expenditures.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 39**, entitled:

Senate Concurrent Resolution No. 39

WHEREAS, the general assembly is continually asked to act upon measures dealing with complex and controversial subjects; and

WHEREAS, such measures frequently require lengthy and comprehensive study and evaluation; and

WHEREAS, the committee system of evaluation of proposed legislation has proven its worth time and again to the entire membership of the general assembly:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, the House of Representatives concurring therein, that the standing committees of each house and such other committees of the Senate and House of Representatives as the president pro tem or the speaker shall designate may meet with the approval of the president pro tem or speaker, as the case may be, to consider bills or to perform any other necessary legislative function during the interim prior to the convening of the 90th general assembly; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the members of each committee incurred while attending meetings of those committees, and the expense of the research and clerical personnel assigned thereto, be paid from the appropriate House or Senate contingent fund.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, April 27, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-ninth Day, Wednesday, April 22, 1998, page 1218, line 23, by deleting all of said line and inserting in lieu thereof the following:

"**HR 684** - Miscellaneous Bills and Resolutions"

Pages 1205 and 1206, roll call, by showing Representative Shields voting "aye" rather than "absent with leave".

Page 1206, roll call, by showing Representatives Reynolds and Richardson voting "aye" rather than "absent with leave".

Pages 1207 and 1208, roll call, by showing Representatives Bonner, Fritts and Secrest voting "aye" rather than "absent with leave".

Pages 1208 and 1209, roll call, by showing Representative Bennett voting "no" rather than "absent with leave".

Pages 1209 and 1210, roll call, by showing Representative Bennett voting "aye" rather than "absent with leave".

Pages 1210 and 1211, roll call, by showing Representatives Bennett, Crawford, Franklin and Loudon voting "aye" rather than "absent with leave".

Pages 1211 and 1212, roll call, by showing Representatives Bennett, Dolan, Franklin, Gross and Loudon voting "aye" rather than "absent with leave".

Pages 1212 and 1213, roll call, by showing Representatives Bartelsmeyer, Bennett, Franklin, Fritts, Lawson, Legan, Loudon and Mays (50) voting "aye" rather than "absent with leave".

Pages 1213 and 1214, roll call, by showing Representatives Benentt, Franklin, Klindt, Loudon, Miller and Patek voting "aye" rather than "absent with leave".

Pages 1214 and 1215, roll call, by showing Representatives Bennett, Franklin, Klindt, Loudon, Miller and Patek voting "aye" rather than "absent with leave".

Pages 1215 and 1216, roll call, by showing Representatives Gaston, Graham, Kasten, Kelley (47), Legan, O'Toole, Scott and Shields voting "aye" rather than "absent with leave".

Pages 1221 and 1222, roll call, by showing Representative Chrismer voting "no" rather than "absent with leave".

Pages 1225 and 1226, roll call, by showing Representative Holand voting "no" rather than "aye".

Pages 1229 and 1230, roll call, by showing Representatives Bennett, Franklin, Kelley (47), Klindt and Secrest voting "aye" rather than "absent with leave".

Pages 1230 and 1231, roll call, by showing Representatives Bennett, Franklin, Kelley (47) and Richardson voting "aye" rather than "absent with leave".

Pages 1231 and 1232, roll call, by showing Representative Benentt voting "no" rather than "absent with leave".

Pages 1231 and 1232, roll call, by showing Representative Dolan voting "present" rather than "absent with leave".

Pages 1231 and 1232, roll call, by showing Representative Kelley (47) voting "aye" rather than "absent with leave".

Pages 1232 and 1233, roll call, by showing Representatives Benentt, Elliott, Gross, Long, Richardson and Shields voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, April 29, 1998, 1:00 pm. Hearing Room 9. Executive session to follow.

To be considered - SB 610

BANKS AND FINANCIAL INSTITUTIONS

Tuesday, April 28, 1998, 9:00 am. Hearing Room 6. Executive session.

To be considered - SB 792

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, April 28, 1998, 1:00 pm. Hearing Room 5. Executive session.

To be considered - SB 478

CRITICAL ISSUES

Monday, April 27, 1998, 8:00 pm. Hearing Room 6. Executive session may follow.

To be considered - HB 1948, HJR 41, HCR 17, SB 523, SCR 37

LABOR

Tuesday, April 28, 1998, 8:00 pm. Hearing Room 6.

To be considered - SB 620, Executive Session - SB 659

HOUSE CALENDAR

Sixty-first Day, Monday, April 27, 1998

HOUSE BILL FOR SECOND READING

HB 1950 and HB 1951

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 35 - Parker

HCS HJR 53 - Backer

HOUSE BILLS FOR PERFECTION

1 HB 1782 - Kennedy

2 HCS HB 1488 - Williams (121)

3 HCS HB 1124 - Shear

4 HB 1796, HCA 1 - Harlan

5 HB 1380 - Kreider

6 HB 962 - Backer

7 HB 1202 - Bartlett

8 HCS HB 1138 - Leake

9 HCS HB 907 - Hosmer

10 HCS HB 1375 - May (108)

11 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

12 HB 958 - Liese

13 HCS HB 1153 - Backer

14 HCS HB 1534 - Graham (24)

15 HCS HB 1277 & 900 - Gunn

16 HCS HB 924 - McLuckie

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

HCS HB 1674, HS#2, as amended, pending, - Rizzo

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1258, (Budget Fiscal 4-6-98) - Bland

3 HS HCS HB 1749, (Budget Fiscal 4-21-98) - Ladd Stokan

4 HCS HB 1736 - Riback Wilson

5 HCS HB 1626 - Thomason (163)

HOUSE BILL FOR THIRD READING - INFORMAL

HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR THIRD READING

1 HCS SB 883, (Budget Fiscal 4-20-98) - Koller

2 SS#2 SCS SB 632, (Budget Fiscal 4-20-98) - Lakin

3 SB 473 - Rizzo

4 HCS SS SB 724 - Riback Wilson

5 HCS SB 854 - Relford

6 SB 945 - Thomason (163)

7 HCS SB 487 - Auer

8 HCS SCS SB 501, E.C. - Stoll

9 HCS SCS SB 722 - Auer

10 HCS SB 761 - Skaggs

11 HCS SS SCS SB 675, 483, 490 & 564, (Budget Fiscal 4-23-98) - Scheve

12 HCS SS SCS SB 781, (Budget Fiscal 4-23-98) - Stoll

13 HCS SB 787, (Budget Fiscal 4-23-98) - Riback Wilson

14 HCS SB 615 - Treadway

15 HCS SB 827, (Budget Fiscal 4-23-98) - Rizzo

BILLS IN CONFERENCE

1 SCS HCS HB 1002 - Franklin

2 SCS HCS HB 1003, as amended - Franklin

3 SCS HCS HB 1004, as amended - Franklin

4 SCS HCS HB 1005 - Franklin

5 SCS HCS HB 1006, as amended - Franklin

6 SCS HCS HB 1007, as amended - Franklin

7 SCS HCS HB 1008 - Franklin

8 SCS HCS HB 1009 - Franklin

9 SCS HCS HB 1010, as amended - Frnaklin

10 SCS HCS HB 1011, as amended - Franklin

11 SCS HCS HB 1012 - Franklin

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

SIXTY-FIRST DAY, Monday, April 27, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

As this week begins, let us hear Your voice, O God. Let us hear Your voice - be it female or male, black or white, young or old, rich or poor, Your voice comes to us in many manifestations. Help us to recognize You at work in each other. Help us to recognize that, in Your eyes, there are no physical limitations to that love. Let us put off the facade of stereotypical images and accept one another as mutually valued and respected creations of the awesome God that You are. When we are tempted to belittle someone because of their race or gender, when we deny someone their rightful place in society because of their age or economic status, pull us up short, O God of Justice, and teach us...teach us about love and respect. Teach us about justice and mercy.

Bring us through this week feeling food about our relationships with one another and with You so that we do not regret actions taken or words spoken in haste or poor taste. Give us guidance, God, to be faithful and true servants. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation Adair Stokan, Kenny Bell, Nicole Nickles, John Rhea, Jonathan Robert, Tommy Young, Kristina Carpenter, Matthew Skarin, Alex Hall and Amber Hamilton.

The Journal of the sixtieth day was approved as corrected.

RESOLUTIONS

Representative Wiggins offered House Resolution No. 1059, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Davis (122) offered House Resolution No. 1060, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bray offered House Resolution No. 1061, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution No. 1062 through House Resolution No. 1101, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Levin offered House Resolution No. 1102 through House Resolution No. 1115, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelley (47) offered House Resolution No. 1116 through House Resolution No. 1118, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative DeMarce offered House Resolution No. 1119, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gross and Bennett offered House Resolution No. 1120 through House Resolution No. 1131, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gross and Ostmann offered House Resolution No. 1132, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1950 and **HB 1951** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS**

HB 1020, HCS HB 1626, HCS HB 1736 and **HCS HB 1891**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1891 - Budget (Fiscal Note)

***** Insert Document name: supp *******

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 615 - Budget (Fiscal Note)

HCS SCS SBs 614, 696, 906, 530, 912 & 914 - Budget (Fiscal Note)

SS SCS SB 651 - Children, Youth and Families

SUPPLEMENTAL CALENDAR

4-27-98

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 1020 - Franklin

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 1020, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin offered House Perfecting Amendment No. 1.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1020, Page 8, Section 20.108, Line 14, by deleting the amount "$1,193,000" on said line and inserting in lieu thereof the amount "1,343,000".

On motion of Representative Franklin, House Perfecting Amendment No. 1 was adopted.

On motion of Representative Franklin, **HCS HB 1020, as amended,** was read the third time and passed by the following vote:

ROLL CALL VOTE NUMBER rc061.001

AYES: 135

Alter Auer Backer Barnett Barry 100

Bartlett Bauer Bennett Bland Bonner

Boucher Bray 84 Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Franklin Fritts

Froelker Gaskill Gaston Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Lograsso Long

Luetkenhaus May 108 Mays 50 McBride McClelland

McLuckie Miller Monaco Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker
Pouche Ransdall Reinhart Relford Reynolds
Richardson Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Secrest Seigfreid
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 019

Akin Ballard Bartelsmeyer Berkstresser Boatright
Broach Foster Gibbons Hall Linton
Loudon Merideth Murphy Nordwald Patek
Pryor Purgason Scott Sheldon 104

PRESENT: 000

ABSENT WITH LEAVE: 008

Crump Edwards-Pavia Harlan Hickey Holand
Marble Ridgeway Shear

VACANCIES: 1

Speaker Gaw declared the bill passed.

On motion of Representative Bauer, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS

HCS HB 1736, relating to family investment trust, was taken up by Representative Riback Wilson.

On motion of Representative Riback Wilson, **HCS HB 1736** was read the third time and passed by the following vote:

ROLL CALL VOTE NUMBER rc061.002

AYES: 143

Akin Alter Auer Ballard Barnett

Barry 100 Bartlett Bauer Bennett Bonner

Boucher Bray 84 Broach Burton Campbell

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hollingsworth Hoppe Hosmer Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Treadway

Van Zandt Vogel Wannenmacher Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 008

Bartelsmeyer Berkstresser Boatright Hohulin Howerton

Murphy Patek Townley

PRESENT: 004

Bland Carter Daniel 42 Troupe

ABSENT WITH LEAVE: 007

Backer Edwards-Pavia Harlan Holand Leake

Shear Wiggins

VACANCIES: 1

Speaker Gaw declared the bill passed.

On motion of Representative Stroker, title to the bill was agreed to.

Representative Parker moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1626, relating to motor vehicle liens, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **HCS HB 1626** was read the third time and passed by the following vote:

ROLL CALL VOTE NUMBER rc061.003

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 002

Koller Wiggins

PRESENT: 000

ABSENT WITH LEAVE: 004

Edwards-Pavia Ford Holand Shear

VACANCIES: 1

Speaker Gaw declared the bill passed.

On motion of Representative Ransdall, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HB 1782, relating to food safety, was taken up by Representative Kennedy.

Representative Clayton offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1782, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal sections 192.800, 192.802 and 192.804, RSMo 1994, relating to protection against certain communicable diseases, and to enact in lieu thereof four mew sections relating to the same subject."; and

Further amend said bill, Page 1, Section 1, Line 1, by inserting immediately before said line the following:

"Section A. Sections 192.800, 192.802 and 192.804, RSMo 1994, are repealed and four new sections enacted in lieu thereof, to be known as sections 192.800, 192.802, 192.804 and 1, to read as follows:

192.800. As used in this section, the following terms mean:

(1) "Communicable disease", an illness due to an infectious agent or its toxic products and transmitted directly or indirectly to a susceptible host from an infected person, animal or arthropod or through the agency of an intermediate host or a vector or through the inanimate environment;

(2) "Designated officer", an employee of the department or a city or county health officer, or designee, located in or employed by appropriate agencies serving geographical regions and appointed by the director of the department of health, whose duties consist of:

(a) Collecting, upon request, facts surrounding possible exposure of a first responder or good samaritan to a communicable disease or infection;

(b) Contacting facilities that receive patients or clients of potentially exposed first responders or good samaritans to ascertain if a determination has been made as to whether the patient or client has had a communicable disease or infection and to ascertain the results of that determination; and

(c) Notifying the first responder or good samaritan as to whether or not there is reason for concern regarding possible exposure;

(3) "First responder", any person trained and authorized by law or rule to render emergency medical assistance or treatment. Such persons may include, but shall not be limited to, emergency first responders, police officers, sheriffs, deputy sheriffs, firefighters, ambulance attendants and attendant drivers, emergency medical technicians, mobile emergency medical technicians, emergency medical technician-paramedics, registered nurses or physicians;

(4) "Good samaritan", any person who renders emergency medical assistance or aid until such time as relieved of these duties by a first responder;

(5) "Licensed facility", a facility licensed [under] pursuant to chapter 197, RSMo, or a state medical facility[.];

(6) "Peace officer", a member of the state highway patrol, or any state, county or municipal law enforcement officer who serves full time with pay and possesses the duty and power of arrest for violations of the criminal laws of the state, or for violations of the ordinances of counties or municipalities of the state.

192.802. The department of health shall ensure that peace officers, first responders or good samaritans are notified if there is reason to believe an exposure has occurred which may present a significant risk of a communicable disease as a result of a peace officer performing any lawful duty, or first responder, good samaritan or peace officer attending or transporting a patient to a licensed facility. At the request of any first responder, the licensed facility shall notify any such first responder and at the request of any good samaritan, the designated officer shall notify such good samaritan, and at the request of any peace officer, the licensed facility or the designated officer shall notify such peace officer. Notification will be made as soon as practicable, but not later than forty-eight hours, to the department of health or a designated officer.

192.804. 1. First responders or good samaritans who attended or transported a patient who believe that they may have received an exposure which may present a significant risk of a communicable disease by a patient may provide a written request concerning the suspected exposure to either the licensed facility that received the patient or the designated officer, detailing the nature of the alleged exposure. The form shall inform the first responder or good samaritan, in bold print, of the provisions of subsections 1 and 6 of section 191.656, RSMo, regarding confidentiality and consequences of violation of confidentiality provisions. The first responder or good samaritan shall be given a copy of the request form.

2. Peace officers acting in the lawful performance of their duties who believe they may have received an exposure which may present a significant risk of a communicable disease by an individual may provide a written request concerning the suspected exposure to either the licensed facility that received an individual or the designated officer, detailing the nature of the alleged exposure.

3. If the licensed facility, designated officer, coroner or medical examiner makes a determination that there was an exposure to a communicable disease, the report to the first responder, peace officer or good samaritan shall provide the name of the communicable disease involved, the date on which the patient was assisted or transported, and any advice or information about the communicable disease as provided by rule by the department of health and shall, in addition, inform the first responder, peace officer or the good samaritan of the provisions of subsections 1 and 6 of section 191.656, RSMo, regarding confidentiality and consequences of violation of confidentiality provisions. This section shall not be construed to authorize the disclosure of any identifying information with respect to the patient, first responder, peace officer or good samaritan.".

On motion of Representative Clayton, House Amendment No. 1 was adopted.

Representative Seigfreid offered House Amendment No. 2.

AMEND House Bill No. 1782, Page 2, Section 1, Line 26, by inserting after all of said line the following:

"4. In the event of a communitywide outbreak of a vaccine-preventable foodborne disease where there is considered to be an intermediate rate of infection, the department of health shall apply to the United States Center for Disease Control and Prevention for permission to provide hepatitis A vaccine through the federal Vaccines for Children Program. If such permission is granted, the department of health shall, in conjunction with local health authorities, provide vaccines for all children eligible under the federal Vaccines for Children Program, provided that the outbreak control measures implemented are consistent with existing federal Advisory Committee on Immunization Practices, United States Centers for Disease Control and Prevention recommendations. If such permission is denied, the department of health shall request general revenue funding for such vaccines.".

On motion of Representative Seigfreid, House Amendment No. 2 was adopted.

On motion of Representative Kennedy, **HB 1782, as amended,** was ordered perfected and printed.

HCS HB 1488, relating to property tax, was taken up by Representative Williams (121).

Representative Williams (121) offered **HS HCS HB 1488**.

Representative Seigfreid offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1488, Page 1, In the Title, Line 2, by deleting the word and number "section 137.115" and inserting in lieu thereof the following: "sections 137.115 and 137.117"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 9, by deleting all of said line and inserting in lieu thereof the following: "Section A. Sections 137.115 and 137.117, RSMo 1994, are repealed and seven"; and

Further amend said bill, Page 1, Section A, Line 11, by inserting after the number "137.115," the number "137.117,"; and

Further amend said bill, Page 8, Section 137.115, Line 18, by inserting after all of said line the following:

"137.117. 1. The circuit clerk and ex officio recorder of deeds of each county of the fourth [class] classification and of each county of the third [class] classification wherein the offices are combined, and the recorder of deeds of each county of the third [class] classification wherein the offices are separate, shall furnish the county assessor of his or her county, or the township assessors in counties with township organization, on or before the fifteenth day of each month a true and complete list of all real estate transfers completed in the county or townships, in counties with township organization, during the preceding month. The list so furnished shall contain the following information relating to each transfer:

(1) The names of the grantor and grantee;

(2) The consideration paid;

(3) A description of the real estate transferred by the smallest legal subdivisions, or by smaller parts, lots or parcels, if sections and the subdivisions thereof are subdivided into parts, lots or parcels as shown by plat duly recorded and if not so subdivided then by such description as will enable the assessor to find it, together with the number of acres transferred; and

(4) The book and page number where each deed is recorded.

2. In counties of the second, third and fourth classification, the circuit clerk and ex officio recorder of deeds wherein the offices are combined and the circuit clerk of each county wherein the offices are separate shall

furnish the county assessor of his or her county, or the township assessors in counties with township organizations, on or before the fifteenth day of each month a true and complete listing of each decree of judicial order. The list so furnished shall contain the following information relating to each case:

(1) The names of the plaintiffs and defendants; and

(2) The file number where each case is recorded.".

Representative Seigfreid moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 013

Davis 122 Days Fitzwater Hegeman Kennedy

McBride Murray Relford Reynolds Seigfreid

Summers Wiggins Wilson

NOES: 136

Akin Alter Ballard Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 63 DeMarce

Dolan Donovan Dougherty Elliott Enz

Evans Farnen Foley Foster Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kissell Klindt Koller Kreider

Lakin Lawson Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McClelland McLuckie

Merideth Miller Monaco Murphy Naeger

Nordwald O'Connor O'Toole Ostmann Parker

Patek Pouche Pryor Ransdall Reinhart

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Surface Thomason 163 Thompson 72 Townley Treadway

Troupe Van Zandt Wannenmacher Williams 159 Wooten

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 013

Auer Backer Burton Edwards-Pavia Ford

Franklin Leake Overschmidt Purgason Shear

Thompson 37 Vogel Williams 121

VACANCIES: 1

Representative Gratz offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1488, Pages 9 & 10, Section 137.777, by deleting all of said section; and

Further amend said bill, by amending the title and enacting clause accordingly.

Representative McClelland offered House Substitute Amendment No. 1 for House Amendmdent No. 2.

House Substitute Amendment No. 1

for

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1488, Page 12, Section 137.780, Line 17, by removing the following:

"(17) At the option of a grantee or a grantee's legal representative."; and replace with

"(17) At the option of a grantee, a grantee's legal representative, the grantor or the grantor's legal representative."

Speaker Pro Tem Kreider assumed the Chair.

Representative McClelland moved that House Substitute Amendment No. 1 for House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 062

Bartlett Bauer Bland Bray 84 Campbell

Carter Champion Crawford Daniel 42 Davis 122

Days DeMarce Donovan Dougherty Enz

Evans Fitzwater Fritts Froelker Gibbons

Graham 24 Gunn Hagan-Harrell Hartzler 123 Hendrickson

Hilgemann Holand Hollingsworth Hosmer Kasten

Kauffman Kelly 27 Kennedy Levin Linton

Loudon May 108 Mays 50 McBride McClelland

McLuckie Murray Ostmann Parker Relford

Reynolds Scheve Schilling Secrest Seigfreid

Shelton 57 Stokan Stroker Thompson 72 Treadway

Troupe Van Zandt Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 085

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bennett Berkstresser

Boatright Bonner Boucher Broach Burton

Cierpiot Clayton Cooper Copeland Crump

Daniels 41 Davis 63 Elliott Farnen Foley

Foster Gaskill Gaston Graham 106 Gratz

Griesheimer Gross Hall Hartzler 124 Heckemeyer

Hegeman Hohulin Hoppe Howerton Johnson

Kelley 47 Kissell Klindt Koller Kreider

Lawson Leake Legan Liese Lograsso

Long Luetkenhaus Marble Merideth Miller

Murphy Naeger Nordwald O'Connor O'Toole

Patek Pouche Purgason Ransdall Reinhart

Richardson Ridgeway Rizzo Robirds Ross

Sallee Schwab Scott Sheldon 104 Shields

Skaggs Smith Steen Stoll Summers

Surface Thomason 163 Townley Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 015

Chrismer Dolan Edwards-Pavia Ford Franklin

Green Harlan Hickey Lakin Monaco

Overschmidt Pryor Shear Thompson 37 Vogel

VACANCIES: 1

On motion of Representative Gratz, House Amendment No. 2 was adopted by the following vote:

AYES: 080

Akin Alter Backer Ballard Barnett

Bartelsmeyer Bennett Berkstresser Boatright Boucher
Broach Burton Champion Chrismer Cierpiot
Clayton Cooper Copeland Crump Elliott
Farnen Fritts Gaskill Gaston Graham 106
Gratz Griesheimer Gross Hall Hartzler 124
Heckemeyer Hegeman Hohulin Hoppe Howerton
Johnson Kelley 47 Kelly 27 Kissell Klindt
Koller Kreider Leake Legan Lograsso
Long Luetkenhaus Marble McBride Miller
Naeger Nordwald Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Richardson
Ridgeway Robirds Ross Sallee Schwab
Scott Sheldon 104 Shelton 57 Shields Steen
Stoll Summers Surface Thomason 163 Townley
Vogel Wannenmacher Wiggins Williams 159 Wooten

NOES: 074

Auer Barry 100 Bartlett Bauer Bland
Bonner Bray 84 Campbell Carter Crawford
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Enz
Evans Fitzwater Foley Ford Foster
Franklin Gibbons Graham 24 Gunn Hagan-Harrell
Harlan Hartzler 123 Hendrickson Hickey Hilgemann
Holand Hollingsworth Hosmer Kasten Kauffman
Kennedy Lakin Lawson Levin Liese
Linton Loudon May 108 McClelland McLuckie
Merideth Monaco Murphy Murray O'Connor
O'Toole Ostmann Relford Reynolds Rizzo
Scheve Schilling Secrest Seigfreid Skaggs
Smith Stokan Stroker Thompson 72 Treadway
Troupe Van Zandt Williams 121 Wilson

PRESENT: 000

ABSENT WITH LEAVE: 008

Edwards-Pavia Froelker Green Mays 50 Overschmidt

Shear Thompson 37 Mr. Speaker

VACANCIES: 1

Representative Bennett offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1488, Page 14, Section 137.782, Line 20, by inserting after said line the following:

Section 1. The provisions of this act shall only become effective for each individual county by adoption of an ordinance by the governing body of each county approving the process of certificate of value."; and

Further amend the title and enacting clause accordingly.

Representative Bennett moved that House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 051

Akin Alter Barry 100 Bennett Boatright

Bonner Broach Chrismer Cierpiot Copeland

Crump Enz Foster Fritts Froelker

Gaston Graham 106 Gratz Gross Hall

Hartzler 124 Hendrickson Howerton Kelley 47 Kissell

Koller Leake Legan Linton Lograsso

Loudon Luetkenhaus Naeger Parker Pouche

Reinhart Ridgeway Robirds Ross Schwab

Scott Secrest Shelton 57 Steen Stoll

Summers Thomason 163 Townley Treadway Vogel

Wiggins

NOES: 090

Auer Backer Ballard Barnett Bartelsmeyer
Bartlett Bauer Berkstresser Bland Boucher
Bray 84 Burton Campbell Carter Champion
Clayton Cooper Crawford Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Elliott Evans Farnen
Fitzwater Foley Gaskill Gibbons Graham 24
Griesheimer Gunn Hartzler 123 Hegeman Hickey
Hilgemann Holand Hoppe Hosmer Johnson
Kasten Kauffman Kennedy Klindt Kreider
Lakin Lawson Levin Liese Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Nordwald O'Connor O'Toole Ostmann Patek
Pryor Purgason Ransdall Reynolds Sallee
Schilling Seigfreid Shields Smith Stokan
Stroker Surface Thompson 72 Troupe Van Zandt
Wannenmacher Williams 121 Williams 159 Wilson Wooten

PRESENT: 000

ABSENT WITH LEAVE: 021

Edwards-Pavia Ford Franklin Green Hagan-Harrell
Harlan Heckemeyer Hohulin Hollingsworth Kelly 27
Long Overschmidt Relford Richardson Rizzo
Scheve Shear Sheldon 104 Skaggs Thompson 37
Mr. Speaker

VACANCIES: 1

Representative Wiggins offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1488, Page 8, Section 137.115, Line 18, by inserting after said line the following:

"137.130. Whenever there shall be any taxable **personal** property in any county, and from any cause no list thereof shall be given to the assessor in proper time and manner, the assessor shall [himself] make out the list, on [his] **the assessor's** own view, or on the best information [he] **the assessor** can obtain; and for that purpose [he] **the assessor** shall have lawful right to enter into any lands and make any examination and search which may be necessary, and may examine any person upon oath touching the same. **The assessor shall list, assess and cause taxes to be imposed upon omitted taxable personal property in the current year and in the event personal property was also subject to taxation in the immediately prior year, but was omitted, the assessor shall also list, assess and cause taxes to be imposed upon such property.**

[137.118. Notwithstanding any other provision of law to the contrary, to replace any lost revenues due to the change in the percentages of the true value in money used in determining the assessed valuation of livestock and farm machinery, any taxing authority may adjust its 1989 tax rate ceiling without voter approval to the extent necessary to generate the same property tax revenue as was produced in the previous year from property taxes on livestock and farm machinery subject to taxation by such taxing authority.]"; and

Further amend the title and enacting clause accordingly.

On motion of Representative Wiggins, House Amendment No. 4 was adopted.

Representative Gaston offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1488, Page 14, Section 137.782, Line 18, by deleting the word "ten" and inserting in lieu thereof the words "one hundred"; and

Further amend said bill, Page 14, Section 137.782, Line 20, by deleting the word "two" and insert in lieu thereof the word "five".

On motion of Representative Gaston, House Amendment No. 5 was adopted.

Representative Lograsso offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1488, Page 14, Line 20, by adding at the end of said line the following:

"No county shall request the sale or purchase price of real property unless and until the voters of said county shall authorize the county, by a vote of the qualified voters, the right to request such information."

On motion of Representative Lograsso, House Amendment No. 6 was adopted.

HCS HB 1488, with HS, as amended, pending, was placed on the Informal Calendar.

HCS HB 1124, relating to firearms regulation, was taken up by Representative Days.

Representative Dougherty assumed the Chair.

Representative Hohulin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1124, Page 3, Line 80, by adding the following:

"Any injury to a child shall be a Class D felony if the child was injured by negligence by an adult. Such injuries shall include but not be limited to poisoning, motor vehicles, or accidents".

Representative Hohulin moved that House Amendment No. 1 be adopted.

Which motion was defeated.

Representative Purgason offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1124, Page 1, Section 3, Line 11, by adding after the word cylinder, "shall also include records by Marilyn Manson".

Representative Purgason moved that House Amendment No. 2 be adopted.

Which motion was defeated.

Representative Purgason moved that House Amendment No. 2 be adopted.

Which motion was defeated.

Representative Days moved that HCS HB 1124 be adopted.

Which motion was defeated by the following vote:

AYES: 041

Auer Barry 100 Bartlett Bauer Bland
Boucher Bray 84 Campbell Carter Copeland
Daniel 42 Davis 63 Days Dougherty Fitzwater
Foley Gunn Hagan-Harrell Harlan Hilgemann
Hosmer Kauffman Kennedy Lakin May 108
McLuckie Monaco Murray O'Toole Reynolds
Rizzo Scheve Schilling Shelton 57 Skaggs
Stokan Stroker Thompson 72 Van Zandt Williams 121
Wilson

NOES: 107

Akin Alter Backer Ballard Barnett
Bartelsmeyer Bennett Berkstresser Boatright Bonner
Broach Burton Champion Chrismer Cierpiot
Clayton Cooper Crawford Crump Daniels 41
Davis 122 DeMarce Dolan Donovan Elliott
Enz Evans Farnen Foster Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Griesheimer Gross Hall
Hartzler 123 Hartzler 124 Hegeman Hendrickson Hickey
Hohulin Holand Hollingsworth Hoppe Howerton
Johnson Kasten Kelley 47 Kelly 27 Kissell
Klindt Kreider Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble McBride Merideth
Miller Murphy Naeger Nordwald Ostmann
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Richardson Ridgeway
Robirds Ross Sallee Schwab Scott
Secrest Seigfreid Sheldon 104 Shields Smith
Steen Stoll Summers Surface Townley
Treadway Troupe Vogel Wannenmacher Wiggins
Williams 159 Wooten

PRESENT: 000

ABSENT WITH LEAVE: 014

Edwards-Pavia Ford Franklin Green Heckemeyer

Koller Mays 50 McClelland O'Connor Overschmidt

Shear Thomason 163 Thompson 37 Mr. Speaker

VACANCIES: 1

On motion of Representative Days, **HB 1124** was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 27 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1949 - Utilities Regulation

HB 1950 - Judiciary

HB 1951 - Elections

COMMITTEE REPORTS

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred SCS SBs 610 & 835, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred SB 689, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCR 8.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Concurrent Resolution No. 8, Senate Journal 3/31/98, Page 501, Column 2, Line 23, of said column, by striking "S." and inserting in lieu thereof the following: "S"; and

further amend line 25 of said column, by striking "S." and inserting in lieu thereof the following: "S"; and

further amend said resolution and journal, page 502, column 1, line 24 of said column, by striking "S." and inserting in lieu thereof the following: "S"; and

further amend line 42 of said column, by striking "S." and inserting in lieu thereof the following: "S".

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCR 9.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCR 20.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1734, entitled:

An act to repeal section 139.210, RSMo 1994, relating to county budgets, and to enact in lieu thereof three new sections relating to the same subject, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1562.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 566, entitled:

An act to repeal section 386.570, RSMo 1994, relating to penalties for violation of public service commission orders, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 762, entitled:

An act to repeal section 197.200, RSMo 1994, relating to insurance coverage for dental care for children and persons with disabilities, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in HCS SB 778 , and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in HCS SB 809 , and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 871, entitled:

An act to repeal section 660.250, RSMo 1994, relating to protection of the elderly, and to enact in lieu thereof three new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, April 29, 1998, 1:00 pm. Hearing Room 9. Executive session to follow. CANCELLED

To be considered - SB 610

BANKS AND FINANCIAL INSTITUTIONS

Tuesday, April 28, 1998, 9:00 am. Hearing Room 6. Executive session.

To be considered - SB 792

BUDGET

Tuesday, April 28, 1998, 8:30 am. Hearing Room 9. Possible executive session on bills in budget.

To be considered - SB 632, HB 1749, SB 883, SB 781

CHILDREN, YOUTH, AND FAMILIES

Tuesday, April 28, 1998, 12:30 pm. Hearing Room 8.

To be considered - SB 651

CHILDREN, YOUTH, AND FAMILIES

Wednesday, April 29, 1998. Hearing Room 6 upon morning adjournment. Executive session.

To be considered - SB 651

COMMERCE

Wednesday, April 29, 1998, 9:00 am. Hearing Room 5. Executive session may follow.

To be considered - SB 751

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, April 28, 1998, 1:00 pm. Hearing Room 5. Executive session. CANCELLED

To be considered - SB 478

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, April 29, 1998, 1:00 pm. Hearing Room 3 and 4. Executive session. AMENDED

To be considered - HCR 19, SB 478

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 28, 1998. Hearing Room 8 upon morning adjournment.

To be considered - Executive Session - SB 780

LABOR

Tuesday, April 28, 1998, 8:00 pm. Hearing Room 6.

To be considered - SB 620, Executive Session - SB 659

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 29, 1998, 9:00 am. Hearing Room 6. Executive session may follow.

To be considered - HR 885, HCR 26, HR 684, HCR 24

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, April 29, 1998. Hearing Room 7 upon morning adjournment.

Subcommittee's report on Board of Healing Arts;other Professional Boards.

HOUSE CALENDAR

Sixty-second Day, Tuesday, April 28, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 35 - Parker

HCS HJR 53 - Backer

HOUSE BILLS FOR PERFECTION

HB 1796, HCA 1 - Harlan

HB 1380 - Kreider

HB 962 - Backer

HB 1202 - Bartlett

HCS HB 1138 - Leake

HCS HB 907 - Hosmer

HCS HB 1375 - May (108)

HCS HB 1040,1554,1252,1286 & 979 - Hosmer

HB 958 - Liese

HCS HB 1153 - Backer

HCS HB 1534 - Graham (24)

HCS HB 1277 & 900 - Gunn

HCS HB 924 - McLuckie

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 995 - Bray

HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

HCS HB 1674, HS#2, as amended, pending, - Rizzo

HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

HB 1258, (Budget Fiscal 4-6-98) - Bland

HS HCS HB 1749, (Budget Fiscal 4-21-98) - Ladd Stokan

HCS HB 1891, (Budget Fiscal 4-27-98) - Crump

HOUSE BILLS FOR THIRD READING - INFORMAL

HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR SECOND READING

SB 566

SCS SB 762

SCS SB 871

SENATE BILLS FOR THIRD READING

HCS SB 883, (Budget Fiscal 4-20-98) - Koller

SS#2 SCS SB 632, (Budget Fiscal 4-20-98) - Lakin

SB 473 - Rizzo

HCS SS SB 724 - Riback Wilson

HCS SB 854 - Relford

SB 945 - Thomason (163)

HCS SB 487 - Auer

HCS SCS SB 501, E.C. - Stoll

HCS SCS SB 722 - Auer

HCS SB 761 - Skaggs

HCS SS SCS SB 675, 483, 490 & 564, (Budget Fiscal

$l44-23-98) - Scheve

HCS SS SCS SB 781, (Budget Fiscal 4-23-98) - Stoll

HCS SB 787, (Budget Fiscal 4-23-98) - Riback Wilson

HCS SB 615, (Budget Fiscal 4-27-98) - Treadway

HCS SB 827, (Budget Fiscal 4-23-98) - Rizzo

SB 743 - Hoppe

HCS SCS SB 614,696,906,530,912 & 914, (Budget Fiscal

$I44-27-98) - May (108)

HCS SB 680 - May (108)

BILLS CARRYING REQUEST MESSAGES

HCS SB 778, (Req. House recede/grant Senate conf.) - $I4Hoppe

HCS SB 809, (Req. House recede/grant Senate conf.) - $I4Hoppe

BILLS IN CONFERENCE

SCS HCS HB 1002 - Franklin

SCS HCS HB 1003, as amended - Franklin

SCS HCS HB 1004, as amended - Franklin

SCS HCS HB 1005 - Franklin

SCS HCS HB 1006, as amended - Franklin

SCS HCS HB 1007, as amended - Franklin

SCS HCS HB 1008 - Franklin

SCS HCS HB 1009 - Franklin

SCS HCS HB 1010, as amended - Franklin

SCS HCS HB 1011, as amended - Franklin

SCS HCS HB 1012 - Franklin

HOUSE RESOLUTIONS

HR 38, (March 10, 1998, pg. 511) - Williams (121)

HR 130, (March 10, 1998, pg. 511) - Gratz

HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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House Journal

Second Regular Session, 89th General Assembly

SIXTY-SECOND DAY, Tuesday, April 28, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

These days it seems that the papers tell us only the terrible things that we are doing to one another, Gracious God, and it makes it seem like the world is headed to hell in a handbasket. But then we look around us at the people we love, at the co-workers who help us do the job right, at the friends who support and encourage us, and we know that there is good in the world. When these legislators deal with the issues that affect the people of this state, help them recognize the worthy things that they do. They hear much criticism and complaining from those of us who know so little of the intricacies of politics that they need to hear a good word every now and then. ....A good word about their concern for young adults who drink and drive; their concern for the welfare and health care of women and children; their concern for the natural resources of our beautiful state.

So we give you thanks today for the good in this world - let us appreciate it and acknowledge it. And help us see those areas of our lives and labor that still need the light of YOUR goodness. Hear our prayer, O Sovereign of the Universe. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chantrell Carter, Derrick Myers, Chanice Young, Stephanie Magoc, B. J. DeWitt, Whitney Brauch, Brittany Franken, Alyson Pedago, Zachery Huhmann, Samantha Fleeman, Deanna Sharp, Landon Cleveland, Jeff Stevens, Ashley Fawler, Callie Zevecke, Christopher Rinella, Robin Bruce, Brent Weilmuenster, Ashley Jahi-Asim, Phillip Villacis, Andrew McClanahan, David McClanahan, T. J. McDonough, Joey Ferris, Will Frost, Julie Roberts, Ashley Pollard, Shannon Gardner, Drew Gardner, Heather Merriman, Katie Wasser, Joel Lamb, Antoya Howard, Antonio Parrot, Jamie Nordwald, Amy McCollom, Sarah Young, Julie Keith, Sommer Garrett, Brandi Hukel, Tyler Petroshak, Nicholas Conrad, Darla Conrad, Faith Becklund, Dennis Mays, Wade Iseminger, Emily Skinner, and James Milberg.

The Journal of the sixty-first day was approved as corrected.

RESOLUTIONS

Representative Overschmidt offered House Resolution No. 1133, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lograsso offered House Resolution No. 1134, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hoppe offered House Resolution No. 1135, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Summers offered House Resolution No. 1136, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wiggins offered House Resolution No. 1137, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Merideth offered House Resolution No. 1138, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Riback Wilson offered House Resolution No. 1139, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Patek offered House Resolution No. 1140, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1141, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 1142, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 1143, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lawson offered House Resolution No. 1144, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Auer offered House Resolution No. 1145, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Levin offered House Resolution No. 1146, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Green offered House Resolution No. 1147, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Leake offered House Resolution No. 1148, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Patek offered House Resolution No. 1149, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF SENATE BILLS

SB 566, SCS SB 762 and **SCS SB 871** were read the second time.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SS#2 SCS SB 632 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SB 883 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1258 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1749 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

THIRD READING OF SENATE BILLS

SB 473, relating to police salaries, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **SB 473** was truly agreed to and finally passed by the following vote:

AYES: 156

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Backer Champion Hohulin Shear Sheldon 104

Mr. Speaker

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

HCS SS SB 724, relating to cultural trust fund, was taken up by Representative Riback Wilson.

Representative Riback Wilson offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 724, Page 2, Section 143.183, Line 36, by inserting after the word "years," the words "**sixty percent of**"; and

Further amend said bill, page 2, Section 143.183, lines 38 and 39, by placing opening and closing brackets around the words "an amount equal to fifty percent of such estimate"; and

Further amend said bill, page 3, Section 143.183, line 51, by inserting after the word "**years,**" the words "**ten percent of**"; and

Further amend said bill, page 3, Section 143.183, line 54, by deleting the words "**an amount equal to ten percent of such estimate**"; and

Further amend said bill, page 3, Section 143.183, line 63, by inserting after the word "**years,**" the words "**ten percent of**"; and

Further amend said bill, page 3, Section 143.183, line 66, by deleting the words "**an amount equal to ten percent of such estimate**"; and

Further amend said bill, page 3, Section 143.183, line 76, by inserting after the word "**years,**" the words "**ten percent of**"; and

Further amend said bill, page 3, Section 143.183, line 79, by deleting the words "**an amount equal to ten percent of such estimate**"; and

Further amend said bill, page 4, Section 143.183, line 101, by inserting after the word "**years,**" the words "**ten percent of**"; and

Further amend said bill, page 3, Section 143.183, lines 104 and 105, by deleting the words "**an amount equal to ten percent of such estimate**".

On motion of Representative Riback Wilson, House Amendment No. 1 was adopted.

On motion of Representative Riback Wilson, **HCS SS SB 724, as amended,** was adopted.

On motion of Representative Riback Wilson, **HCS SS SB 724, as amended,** was read the third time and passed by the following vote:

AYES: 134

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bauer Bennett

Berkstresser Bland Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Graham 106 Graham 24 Gratz Griesheimer

Gunn Hagan-Harrell Harlan Hartzler 123 Hegeman

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Howerton Johnson Kasten Kauffman

Kelly 27 Kennedy Kissell Koller Kreider

Lakin Lawson Leake Levin Liese

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Ransdall Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Treadway
Troupe Van Zandt Vogel Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 022

Boatright Chrismer Evans Edwards-Pavia Gibbons
Green Gross Hall Hartzler 124 Hohulin
Kelley 47 Klindt Legan Linton Murphy
Nordwald Purgason Reinhart Ridgeway Sheldon 104
Townley Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 006

Bartelsmeyer Copeland Heckemeyer Hosmer Lograsso
Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Lakin, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative DeMarce moved that motion lay on the table.

The latter motion prevailed.

HCS SB 854, relating to funeral directors, was taken up by Representative Relford.

On motion of Representative Relford, **HCS SB 854** was adopted.

On motion of Representative Relford, **HCS SB 854** was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Shields Skaggs Smith Steen

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Farnen

ABSENT WITH LEAVE: 007

Bartelsmeyer Hosmer Lograsso Mays 50 Shear

Sheldon 104 Stokan

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Green, title to the bill was agreed to.

Representative Gratz moved that the vote by which the bill passed be reconsidered.

Representative Dougherty moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS

HB 1258, relating to tax credit for child care, was taken up by Representative Bland.

On motion of Representative Bland, HB 1258 was read the third time and passed by the following vote:

AYES: 159

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Sheldon 104
Shelton 57 Shields Skaggs Smith Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Franklin Shear Steen

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hilgemann, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

HS HCS HB 1749, relating to long term care facilities, was taken up by Representative Ladd Stokan.

On motion of Representative Ladd Stokan, HS HCS HB 1749 was read the third time and passed by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Graham 106

Graham 24 Gratz Green Griesheimer Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 011

Boucher Crump Dougherty Gibbons Gross

Hickey Hohulin Kelly 27 Long Shear

Wiggins

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Bauer, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

Representative Scheve assumed the Chair.

PERFECTION OF HOUSE BILLS

HB 1796, with House Committee Amendment No. 1, relating to MOSTARS Higher Education Saving Program, was taken up by Representative Harlan.

Representative Harlan offered HS HB 1796.

On motion of Representative Harlan, HS HB 1796 was adopted.

On motion of Representative Harlan, HS HB 1796 was ordered perfected and printed.

HB 1380, relating to building regulations, was taken up by Representative Kreider.

Representative Hohulin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1380, Page 3, Section 64.180, Line 38, by deleting the word "unless" and inserting in lieu thereof the words "including those".

Representative Hohulin moved that House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Kreider, HB 1380 was ordered perfected and printed.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Anna Beth Counce and Meghan Jones.

RESOLUTIONS

Representatives Bennett, Gross, Chrismer, Ostmann and Dolan offered House Resolution No. 1150, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Nordwald offered House Resolution No. 1151, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Foster offered House Resolution No. 1152, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Campbell and Hartzler (123) offered House Resolution No. 1153, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 1154, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 1155 through House Resolution No. 1157, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 1158, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 1159, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HB 1562, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

HCS SCS SJR 24 - Budget (Fiscal Note)

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SBs 583 & 645 - Budget (Fiscal Note)

HCS SB 680 - Budget (Fiscal Note)

HCS SCS SB 922 - Budget (Fiscal Note)

Speaker Gaw assumed the Chair.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 145

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Bland Boatright Bonner Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kennedy

Klindt Koller Kreider Lakin Legan

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Reynolds

ABSENT WITH LEAVE: 016

Berkstresser Boucher Copeland Crawford Harlan

Holand Kelly 27 Kissell Lawson Leake

Levin Richardson Scott Shear Stoll

Vogel

VACANCIES: 001

BILLS CARRYING REQUEST MESSAGES

HCS SB 778, relating to property tax collection, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to recede from its position on HCS SB 778 and grant the Senate a conference.

Which motion was adopted.

HCS SB 809, relating to municipal boundaries, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to recede from its position on HCS SB 809 and grant the

Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS SB 883, relating to transportation oversight, was taken up by Representative Koller.

Representative May (108) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 883, Page 5, by inserting after all of said line the following:

"71.288. 1. [Any city that maintains the city engineer or other similar city official on the planning commission shall have the authority to place any restriction upon the height, spacing and lighting or outdoor advertising structures placed within the view of any highway within the city. Such ordinance may be more restrictive than sections 226.500 to 226.600, RSMo] Any city or county shall have the authority to adopt regulations with respect to outdoor advertising that are more restrictive than the height, size, lighting and spacing provisions of sections 226.500 to 226.600, RSMo.

2. No city [that elects to govern outdoor advertising structures as provided in subsection 1] or county shall have the authority to impose a fee of more than five hundred dollars for the initial inspection of an outdoor advertising structure, nor may the city or county impose a business tax on an outdoor advertising structure of more than [one hundred dollars per year] two per cent of the gross annual revenue produced by the outdoor advertising structure within that city or county."; and

Further amend the title and enacting clause accordingly.

On motion of Representative May (108), House Amendment No. 1 was adopted.

Representative Backer offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 883, Page 2, Section 21.795, Lines 16 and 17, by deleting the words "October fifteenth" and inserting in lieu thereof the words "November tenth"; and

Further amend said bill, Page 2, Section 21.795, Line 30, by deleting the word "by" and inserting in lieu thereof the words "made by, or on behalf of,"; and

Further amend said bill, Page 4, Section 226.040, Lines 1 and 2, by deleting the following: ", with the advice and consent of the senate,"; and

Further amend said bill, Page 5, Section 226.140, Line 11, by inserting after all of said line the following:

"3. The state auditor shall, to the extent practicable, utilize the data and information developed for, and provided by, the report required pursuant to subdivision (1) of subsection 2 of section 21.795, RSMo, when performing an audit authorized by section 29.210, RSMo.".

Representative Scott offered House Amendment No. 1 to House Amendment No. 2.

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 883, Page 1, Line 13, by deleting #3 and inserting in lieu thereof the following:

"The state auditor shall, where practical use, but shall not be limited to, the data and information developed for and provided by the report required pursuant to subdivision (1) of subsection 2 of section 21.795 RSMo, when performing an audit authorized by section 29.210 RSMo."

On motion of Representative Scott, House Amendment No. 1 to House Amendment No. 2 was adopted.

On motion of Representative Backer, House Amendment No. 2, as amended, was adopted.

Representative Green offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 883, Page 1, In the Title, Line 3, by deleting the word "four" and inserting in lieu thereof the word "five"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "four" and inserting in lieu thereof the word "five"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the following: "226.040 and 226.140" and inserting in lieu thereof the following: "226.040, 226.140 and 1"; and

Further amend said bill, Page 5, Section 226.140, Line 11, by inserting immediately after all of said line the following:

"Section 2. In the event any contractor performing work pursuant to a contract to which this state is a party is found to employ an illegal alien, such contract shall be rendered null and void and the contractor shall forfeit all rights and claims under the contract and shall not be eligible to be considered for future state contracts for two years.".

Representative Relford offered House Amendment No. 1 to House Amendment No. 3.

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Bill No. 883, Pages 1 and 2, Section 2, Lines 14-16, by deleting the words "shall be rendered null and void and the contractor shall forfeit all rights and claims under the contract" and inserting in lieu thereof the following:

"shall be fined up to twenty percent of the base contract".

On motion of Representative Relford, House Amendment No. 1 to House Amendment No. 3 was adopted.

Representative Pryor offered House Amendment No. 2 to House Amendment No. 3.

House Amendment No. 2

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Bill No. 883, Page 2, Line 17, by adding the following:

"All general contractors who knowingly contract with any subcontractor who violates the provisions listed in section 2 of this section shall be fined in an amount not to exceed twice the fine assessed on the subcontractor".

On motion of Representative Pryor, House Amendment No. 2 to House Amendment No. 3 was adopted.

On motion of Representative Green, House Amendment No. 3, as amended, was adopted.

Representative Bray offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 883, Page 2, Section 21.795, Line 49 of said page, by inserting after the number "1992" the following: "and the long-range transportation plans adopted by the metro planning organizations in a transportation management area as defined in chapter 23 USC Section 134".

Representative Bray moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 070

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Clayton Crump Daniel 42 Davis 122 Davis 63

Days DeMarce Donovan Dougherty Fitzwater

Foley Ford Franklin Fritts Graham 24

Green Hagan-Harrell Harlan Hartzler 124 Hickey

Hilgemann Hollingsworth Hoppe Kauffman Kelly 27

Kennedy Koller Kreider Lakin Lawson

Levin Liese Loudon May 108 Mays 50

McClelland McLuckie Monaco Murray O'Connor

Parker Ransdall Relford Reynolds Scheve

Schilling Seigfreid Shelton 57 Skaggs Smith

Stokan Stoll Stroker Thompson 72 Treadway

Van Zandt Wiggins Williams 121 Wilson Mr. Speaker

NOES: 085

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Bonner Broach

Burton Champion Chrismer Cierpiot Cooper

Copeland Crawford Daniels 41 Dolan Edwards-Pavia

Elliott Enz Evans Farnen Foster

Froelker Gaskill Gaston Gibbons Graham 106

Gratz Griesheimer Gross Hall Hartzler 123

Heckemeyer Hegeman Hendrickson Hohulin Holand

Hosmer Howerton Johnson Kasten Kelley 47

Kissell Klindt Leake Legan Lograsso

Long Luetkenhaus Marble McBride Merideth

Miller Murphy Naeger Nordwald Ostmann

Overschmidt Patek Pouche Pryor Purgason

Reinhart Richardson Ridgeway Rizzo Robirds

Ross Sallee Schwab Secrest Shields

Steen Summers Surface Thomason 163 Thompson 37

Townley Vogel Wannenmacher Williams 159 Wooten

PRESENT: 000

ABSENT WITH LEAVE: 007

Gunn Linton O'Toole Scott Shear

Sheldon 104 Troupe

VACANCIES: 001

Speaker Pro Tem Kreider resumed the Chair.

Representative Legan offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 883, Page 2, Section 21.795, Line 33, by adding one new section:

(d) Total state and federal revenue compared to the revenue estimate in the 15 year highway plan as adopted in 1992.

On motion of Representative Legan, House Amendment No. 5 was adopted.

Representative Ballard offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 883, Page 3, Section 21.795, Line 53, by adding after the end of said line, "notwithstanding any other section of law the department of transportation shall be required to

complete the fifteen year plan in a timely manner.".

Representative Luetkenhaus offered House Substitute Amendment No. 1 for House Amendment No. 6.

House Substitute Amendment No. 1

for

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 883, Page 3, Section 21.795, Line 53, by adding after the end of said line, "notwithstanding any other section of law the department of transportation shall be required to complete the fifteen year plan within fifteen years of the date the plan was implemented.".

HCS SB 883, as amended, with House Substitute Amendment No. 1 for House Amendment No. 6 and House Amendment No. 6, pending, was laid over.

APPOINTMENT OF CONFEREES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SB 809: Representatives Hoppe, Scheve, Gibbons, Reynolds and Levin

HCS SB 778: Representatives Hoppe, Foley, Rizzo, Griesheimer and Edwards-Pavia

SUPPLEMENTAL CALENDAR

April 28, 1998

SENATE JOINT RESOLUTION FOR THIRD READING

1 HCS SCS SJR 24 - (Budget Fiscal 4-28-98) Days

SENATE BILLS FOR THIRD READING

1 HCS SB 936 - Bray

2 SCS SB 561, HCA 1 - Boucher

3 HCS SS SCS SBs 583 & 645 - (Budget Fiscal 4-28-98) Thomason (163)

4 HCS SB 619 - Stoll

5 HCS SB 674 - Riback Wilson

6 HCS SS SB 792 - Liese

7 HCS SCS SB 922 - (Budget Fiscal 4-28-98) Luetkenhaus

COMMITTEE REPORTS

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred SS SCS SB 596, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Banks and Financial Institutions, Chairman Copeland reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred SS SB 792, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred SCS SB 625, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

COMMUNICATION

April 28, 1998

The Honorable Sue Shear

House Post Office

State Capitol Building

Jefferson City, MO 65101

Dear Sue:

Per your request, I am replacing you on the Budget Standing Committee with Rep. Tim Harlan. I cannot express how much I appreciate all the hard work and dedication you gave to this position through the years. You have been an invaluable member of this committee. By copy of this letter, I am notifying the Chair and the Chief Clerk.

Sincerely,

/s/ Steve Gaw

Speaker

COMMITTEE CHANGES

The Speaker submitted the following committee changes:

Representative Shear is no longer a member of the Budget Committee.

Representative Harlan has been appointed a member of the Budget Committee.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 944.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HCS HBs 957 & 1063.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1092.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1304.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HS HCS HB 1323, entitled:

An act to repeal section 370.080, RSMo 1994, relating to membership of credit unions, and to enact in lieu thereof six new sections relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1323, Page 3, Section 370.063, Line 27, by inserting after the period "." on said line the following:

"Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority delegated in this chapter shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however, nothing in this section shall be interpreted to repeal or affect the validity of any rule adopted or promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1410, entitled:

An act to repeal section 301.142, RSMo Supp. 1997, relating to physically disabled license plates and placards, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1410, Page 1, In the Title, Lines 2-3, by striking said lines and inserting in lieu thereof the following:

"To repeal sections 301.142 and 301.143, RSMo Supp. 1997, relating to physically disabled license plates and placards, and to enact in lieu thereof two new sections relating to the same subject."; and

Further amend said bill, Page 1, Section A, Lines 1-2, by striking said lines and inserting in lieu thereof the following:

"Section A. Sections 301.142 and 301.143, RSMo Supp. 1997, are repealed and two new sections enacted in lieu thereof, to be known as sections 301.142 and 301.143, to read as follows:"; and

Further amend said bill, Page 5, Section 301.142, Line 131, inserting immediately after all of said line the following:

"301.143. 1. As used in this section, the term "vehicle" shall have the same meaning given it in section 301.010,

and the term "physically disabled" shall have the same meaning given it in section 301.142.

2. Political subdivisions of the state may by ordinance or resolution designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142. Owners of private property used for public parking shall also designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142. Whenever a political subdivision or owner of private property so designates a parking space, the space shall be indicated by a sign upon which shall be inscribed the international symbol of accessibility and shall also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. The sign described in this subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "$50 to $300 fine.".

3. Any political subdivision, by ordinance or resolution, and any person or corporation in lawful possession of a public offstreet parking facility or any other owner of private property may designate reserved parking spaces for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142 as close as possible to the nearest accessible entrance. Such designation shall be made by posting immediately adjacent to, and visible from, each space, a sign upon which is inscribed the international symbol of accessibility, and may also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card.

4. The local police or sheriff's department may cause the removal of any vehicle not displaying a distinguishing license plate or card on which is inscribed the international symbol of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or card issued by any other state from a space designated for physically disabled persons if there is posted immediately adjacent to, and readily visible from, such space a sign on which is inscribed the international symbol of accessibility [in] and may include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a card is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars. Any vehicle which has been removed and which is not properly claimed within thirty days thereafter shall be considered to be an abandoned vehicle.

5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated by political subdivisions in residential areas for residential use only need not meet the accessibility requirements imposed under this subsection if such parking space is requested by a resident needing such space.

6. Any person who, without authorization, uses a distinguishing license plate or card issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under authority of this section shall be guilty of an infraction and shall be subject to a fine of not less than fifty dollars nor more than three hundred dollars.

7. Law enforcement officials may enter upon private property open to public use to enforce the provisions of this section and section 301.142, including private property designated by the owner of such property for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142.

8. Nonconforming signs or spaces otherwise required pursuant to this section which are in use prior to August 28, 1997, shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs or spaces be extended by means other than those means used to maintain any sign or space on the owner's property which is not used for vehicles displaying a disabled license plate.".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1468.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1511, entitled:

An act to repeal section 301.010, RSMo Supp. 1997, relating to motor vehicles, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1511, Page 3, Section 301.010, Lines 76 to 78, by deleting all of said lines and inserting in lieu thereof the following: "which has more than two axles. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1596, entitled:

An act to repeal sections 226.950, 226.955, 226.967 and 226.975, RSMo Supp. 1997, relating to the preservation of corridors for future state highway construction, and to enact in lieu thereof four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1609, entitled:

An act to repeal section 84.160, RSMo Supp. 1997, relating to the police force in certain cities, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1609, Page 7, Section 84.160, Line 211, by striking the following: "or for extra training and lead officer responsibilities"; and further amend line 212, by inserting after the word "salaries" the following: "or for extra training and lead officer responsibilities in amounts not to exceed three percent of their yearly salaries for field training officer responsibilities and an additional three percent of their yearly salaries for lead officer responsibilities. The board may designate up to one hundred fifty employees as field training officers and up to fifty employees as lead officers.".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1730, entitled:

An act to repeal section 302.130, RSMo Supp. 1997, relating to the operating of a motor vehicle, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1730, Page 1, Section 302.130, Lines 11 and 12, by deleting all of said lines and inserting in lieu thereof the word "license"; and

Further amend said bill, Page 2, Section 302.130, Line 13, by deleting the words "of a physical disability"; and

Further amend said bill, Page 2, Section 302.130, Line 13, by inserting immediately after all of said line the following:

"2. In the event the parent, grandparent or guardian of the person under sixteen years of age has a physical disability which prohibits or disqualifies said parent, grandparent or guardian from being a qualified licensed operator pursuant to this section, said parent, grandparent or guardian may designate a maximum of two individuals authorized to accompany the applicant for the purpose of giving instruction in driving the motor vehicle. An authorized designee must be a licensed operator for the type of motor vehicle being operated and have attained twenty-one years of age. At least one of the designees must occupy the seat beside the applicant while giving instruction in driving the motor vehicle. The name of the authorized designees must be provided to the department of revenue by the parent, grandparent or guardian at the time of application for the temporary instruction permit. The name of each authorized designee shall be printed on the temporary instruction permit, however, the director may delay the time at which permits are printed bearing such names until the inventories of blank permits and related forms existing on the effective date of this act are exhausted."; and

Further amend said bill, Page 2, Section 302.130, Line 14, by deleting the figure "2." and inserting in lieu thereof the following: "[2.] 3."; and

Further amend said bill, Page 2, Section 302.130, Line 25, by deleting the figure "3." and inserting in lieu thereof the following: "[3.] 4."; and

Further amend said bill, Page 2, Section 302.130, Line 30, by inserting immediately after all of said line the following:

"5. The director may adopt rules and regulations necessary to carry out the provisions of this section.".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1802.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1239, entitled:

An act to repeal section 595.209, RSMo Supp. 1997, relating to victims of crime, and to enact in lieu thereof one new section relating to the same subject.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 1 to Senate Substitute Amendment No. 1 for Senate Amendment No. 4, Senate Substitute Amendment No. 1 for Senate Amendment No. 4, as amended.

Senate Amendment No. 1

AMEND House Bill No. 1239, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"452.400. 1. A parent not granted custody of the child is entitled to reasonable visitation rights unless the court finds, after a hearing, that visitation would endanger the child's physical health or impair his emotional development. The court shall define the noncustodial parent's visitation periods in detail at the request of either party. In determining the granting of visitation rights, the court shall consider evidence of domestic violence. If the court finds that domestic violence has occurred, the court may find that granting visitation to the abusive party is in the best interests of the child. The court shall not grant visitation to the parent not granted custody if

such parent has been found guilty of or pled guilty to a felony violation, when the child was the victim, of chapter 566, RSMo, [when the child was the victim, or a violation of] or section 568.020, RSMo, [when the child was the victim] or an offense which, if committed in this state, would be a felony violation of chapter 566, RSMo, or section 568.020, RSMo. The court shall consider the parent's history of inflicting, or tendency to inflict, physical harm, bodily injury, assault, or the fear of physical harm, bodily injury, or assault on other persons and shall grant visitation in a manner that best protects the child and the parent or other family or household member who is the victim of domestic violence from any further harm. The court shall make specific findings of fact to show that the visitation arrangements made by the court best protects the child or the parent or other family or household member who is the victim of domestic violence from any further harm.

2. The court may modify an order granting or denying visitation rights whenever modification would serve the best interests of the child, but the court shall not restrict a parent's visitation rights unless it finds that the visitation would endanger the child's physical health or impair his emotional development. When a court restricts a parent's visitation rights or when a court orders supervised visitation because of allegations of abuse or domestic violence, a showing of proof of treatment and rehabilitation shall be made to the court before unsupervised visitation may be ordered. "Supervised visitation", as used in this section, is visitation which takes place in the presence of a responsible adult appointed by the court for the protection of the child.

3. The court shall mandate compliance with its order by both the custodial parent and the child. In the event of noncompliance, the noncustodial parent may file a motion for contempt. Upon a finding by the court that its order for visitation has not been complied with, without good cause, the court shall define the noncustodial parent's visitation in detail and shall exercise its discretion in providing a remedy, which shall include, but not be limited to, a compensatory period of visitation or temporary custody at a time convenient for the noncustodial parent not less than the period of time denied, together with a judgment in an amount not less than the reasonable expenses incurred by the noncustodial parent as a result of denial of visitation.

4. The attorney's fees and costs of a proceeding to enforce visitation rights shall be assessed against the parent who unreasonably denies or interferes with visitation. In addition, the court may utilize any and all powers relating to contempt conferred on it by law or rule of the Missouri supreme court."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Bill No. 1239, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"455.540. As used in sections 455.540 to 455.547, the following terms shall mean:

(1) "Adult", any person eighteen years of age or older;

(2) "Domestic violence", any dispute arising between spouses, former spouses, adults related by blood or marriage, adults who are presently residing together or have resided together in the past, and adults who have had a child in common regardless of whether they have been married or have resided together at any time;

(3) "Homicide", any crime which may be charged as one of the following: first degree murder pursuant to section 565.020, RSMo; second degree murder pursuant to section 565.021, RSMo; voluntary manslaughter pursuant to section 565.023, RSMo; or involuntary manslaughter pursuant to section 565.024, RSMo.

455.543. 1. In any case involving a homicide where the victim is an adult, the local law enforcement agency with jurisdiction shall make a determination as to whether there is reason to believe the homicide is related to domestic violence.

2. In making such determination, the local law enforcement agency may consider a number of factors including, but not limited to, the following:

(1) The relationship between the perpetrator and the victim;

(2) Whether the victim had previously filed for an order of protection pursuant to chapter 455, RSMo;

(3) Whether such agency has previously investigated or received reports of alleged incidents of domestic violence against the victim; and

(4) Any other evidence regarding the homicide that assists the agency in making its determination.

3. After making a determination as to whether the homicide is related to domestic violence, the chief local law enforcement officer or his designee shall complete an appropriate form stating whether the homicide was related to domestic violence and which shall include the name, gender and age of the victim. The state highway patrol shall develop a form for this purpose which shall be distributed by the department of public

safety to all local law enforcement agencies by October 1, 1998. Completed forms shall be forwarded to the highway patrol no later than seven days after a suspect is arrested for the homicide.

455.545. The highway patrol shall compile an annual report of homicides related to domestic violence. Such report shall be presented by February first of the subsequent year to the governor, speaker of the house of representatives, and president pro tempore of the senate.

455.547. Any employee of a law enforcement agency who, in good faith, completes and sends a form pursuant to section 455.543 shall be immune from liability."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND House Bill No. 1239, Page 1, Section A, Line 2, by inserting after said line the following:

"577.068. 1. A person commits the crime of leaving the scene of a shooting when, being in possession of a firearm or projectile weapon as defined in section 571.010, RSMo, such person discharges such firearm or projectile weapon and causes injury or death to another person and such person, knowing that he has caused such injury or death, leaves the place of the shooting without giving his name, address, and driver's license number, if applicable, to a law enforcement officer. If no such officer is in the vicinity where the shooting occurs, the person must provide such information to the nearest police station or law enforcement officer. A person is not in violation of this section if he leaves the scene of a shooting in order to obtain medical assistance or contact law enforcement authorities to notify them of the shooting, so long as such person returns to the scene of the shooting or otherwise provides the information required by this section to a law enforcement officer within a reasonable time after the shooting.

2. All peace officers and reserve peace officers certified under the provisions of chapter 590, RSMo, shall have authority to investigate shootings and arrest a person who violates subsection 1 of this section, except that conservation agents may enforce such provisions as to hunting related shootings. For the purpose of this section, a hunting related shooting shall be defined as any shooting in which a person is injured as a result of hunting activity that involves the discharge of a hunting weapon.

3. Leaving the scene of a shooting is a class A misdemeanor, except that it is a class D felony if the person has previously pled guilty to or been found guilty of a violation of this section."; and

Further amend the title and enacting clause accordingly.

Senate Substitute Amendment No. 1

for

Senate Amendment No. 4

AMEND House Bill No. 1239, Page 1, Section 595.209, Line 10, by adding the following:

"unless excluded by order of the court where presence of witness would be prejudicial."

Senate Amendment No. 1

to

Senate Substitute Amendment No. 1

for

Senate Amendment No. 4

AMEND Senate Substitute Amendment No. 1 for Senate Amendment No. 4 to House Bill No. 1239, Page 1, by adding the following: "or so long as the prosecuting attorney has assured that the victim will not be called as a

witness by the prosecution, or at any time after said alleged victim has testified".

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, April 29, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-first Day, Monday, April 27, 1998, pages 1284, roll call, by showing Representatives Hickey and Ridgeway voting "aye" rather than "absent with leave".

Page 1285, roll call, by showing Representatives Levin and Linton voting "no" rather than "yes".

Pages 1289 and 1290, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Page 1291, roll call, by showing Representatives Chrismer, Franklin and Hickey voting "no" rather than "absent with leave".

Page 1291, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Page 1293, roll call, by showing Representatives Franklin, Hollingsworth and Kelly (27) voting "no" rather than "absent with leave".

Page 1293, roll call, by showing Representative Boatright voting "no" rather than "yes".

Page 1293, roll call, by showing Representatives Long and Richardson voting "aye" rather than "absent with leave".

Pages 1295 and 1296, roll call, by showing Representative Koller voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS AND FINANCE

Wednesday, April 29, 1998, 1:00 pm. Hearing Room 8. Various subjects.

AGRICULTURE

Wednesday, April 29, 1998, 1:00 pm. Hearing Room 9. Executive session to follow. CANCELLED

To be considered - SB 610

BUDGET

Wednesday, April 29, 1998, 8:30 am. Hearing Room 9.

Possible executive session on bills in budget.

To be considered - SB 781, SB 827, SB 787, SB 675, HB 1891

CHILDREN, YOUTH AND FAMILIES

Wednesday, April 29, 1998. Hearing Room 6 upon morning adjournment. Executive session.

To be considered - SB 651

COMMERCE

Wednesday, April 29, 1998, 9:00 am. Hearing Room 5. Executive session may follow.

To be considered - SB 751

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, April 29, 1998, 1:00 pm. Hearing Room 3 and 4. Executive session. AMENDED

To be considered - HCR 19, SB 478

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 29, 1998, 9:00 am. Hearing Room 6. Executive session may follow. AMENDED

To be considered - HR 885, HCR 26, HR 684, HCR 24, HCR 27

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, April 29, 1998. Hearing Room 7 upon morning adjournment.

Subcommittee's report on Board of Healing Arts; other Professional Boards.

HOUSE CALENDAR

Sixty-third Day, Wednesday, April 29, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

3 HCS HB 1674, HS#2, as amended, pending, - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HCS HB 1891, (Budget Fiscal 4-27-98) - Crump

3 HB 1782 - Kennedy

4 HB 1124 - Days

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, - DeMarce - (CONSENT)

SENATE JOINT RESOLUTION FOR THIRD READING

HCS SCS SJR 24, (Budget Fiscal 4-28-98) - Days

SENATE BILLS FOR THIRD READING

1 HCS SB 883, a.a., HSA1 for HA6, HA6, pending - Koller

2 SS#2 SCS SB 632 - Lakin

3 SB 945 - Thomason (163)

4 HCS SB 487 - Auer

5 HCS SCS SB 501, E.C. - Stoll

6 HCS SCS SB 722 - Auer

7 HCS SB 761 - Skaggs

8 HCS SS SCS SB 675, 483, 490 & 564, (Budget Fiscal 4-23-98) - Scheve

9 HCS SS SCS SB 781, (Budget Fiscal 4-23-98) - Stoll

10 HCS SB 787, (Budget Fiscal 4-23-98) - Riback Wilson

11 HCS SB 615, (Budget Fiscal 4-27-98) - Treadway

12 HCS SB 827, (Budget Fiscal 4-23-98) - Rizzo

13 SB 743 - Hoppe

14 HCS SCS SB 614,696,906,530,912 & 914, (Budget Fiscal 4-27-98) - May (108)

15 HCS SB 680 - May (108)

16 HCS SB 936 - Bray

17 SCS SB 561, HCA 1 - Boucher

18 HCS SS SCS SB 583 & 645, (Budget Fiscal 4-28-98) - Thomason (163)

19 HCS SB 619 - Stoll

20 HCS SB 674 - Riback Wilson

21 HCS SS SB 792 - Liese

22 HCS SCS SB 922, (Budget Fiscal 4-28-98) - Luetkenhaus

HOUSE BILLS WITH SENATE AMENDMENTS

1 SCS HB 1734 - Backer

2 HB 1609, SCA 1, E.C. - Shelton (57)

3 HB 1730, SCA 1 - Townley

4 HB 1410, SCA 1 - Luetkenhaus

5 HB 1511, SCA 1 - Koller

6 SCS HB 1596 - Leake

BILLS IN CONFERENCE

1 SCS HCS HB 1002 - Franklin

2 SCS HCS HB 1003, as amended - Franklin

3 SCS HCS HB 1004, as amended - Franklin

4 SCS HCS HB 1005 - Franklin

5 SCS HCS HB 1006, as amended - Franklin

6 SCS HCS HB 1007, as amended - Franklin

7 SCS HCS HB 1008 - Franklin

8 SCS HCS HB 1009 - Franklin

9 SCS HCS HB 1010, as amended - Franklin

10 SCS HCS HB 1011, as amended - Franklin

11 SCS HCS HB 1012 - Franklin

12 HCS SB 778 - Hoppe

13 HCS SB 809 - Hoppe

HOUSE RESOLUTIONS

1 HR 38, (March 10, 1998, pg. 511) - Williams (121)

2 HR 130, (March 10, 1998, pg. 511) - Gratz

3 HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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House Journal

Second Regular Session, 89th General Assembly

SIXTY-THIRD DAY, Wednesday, April 29, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Globally, our nation is held accountable, O God, for its place as a world leader in economics, technological advances and democracy, but we often fail to live up to those expectations.

Here in these chambers, there are high expectations as well -- the people of Missouri hold these representatives accountable -- and expect them to be fair and just, to do things in bi-partisan cooperation for the betterment of this state's citizens. But it doesn't always get done as expected.

Help us, O Lord, both as legislators and as citizens to recognize failings and accomplishments in the true light of understanding, as long as we *all* do the best we can do.

We say "thank you" for those staff members who will be recognized today for their years of service -- for those who continue to give their best.

Hear us, O God, and guide us as we serve You and the state of Missouri. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Donovan Avis, Kalinda Horton, Kendra Whitley, Samantha Jones and Alicia Bradley.

The Journal of the sixty-second day was approved as corrected.

RESOLUTIONS

Representative Kissell offered House Resolution No. 1160, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Secrest and Evans offered House Resolution No. 1161, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Leake offered House Resolution No. 1162, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Parker offered House Resolution No. 1163, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 1164 through House Resolution No. 1168, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1124** and **HB 1782**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1468**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HB 1891 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SS SCS SBs 675, 483, 490 & 564 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SB 787 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SB 827 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution No. 1002** through **House Resolution No. 1159**, begs leave to report it has examined the same and recommends that they **Do Pass**.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HB 1796 - Budget (Fiscal Note)

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SB 936 - Budget (Fiscal Note)

PERFECTION OF HOUSE BILLS - INFORMAL

HB 995, relating to high occupancy vehicle lanes, was taken up and placed back on the Informal Calendar.

HCS HBs 972 & 1310, with HS, as amended, pending, relating to domestic relations, was taken up and placed back on the Informal Calendar.

HCS HB 1674, with HS #2, as amended, pending, relating to economic development, was taken up and placed back on the Informal Calendar.

HCS HB 1488, with HS, as amended, relating to property tax, was taken up and placed back on the Informal Calendar.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1734, relating to local taxation, was taken up by Representative Backer.

On motion of Representative Backer, **SCS HB 1734** was adopted by the following vote:

AYES: 145

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Gaskill Gibbons Graham 106

Graham 24 Gratz Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Leake Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Relford

Reynolds Ridgeway Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Wooten Mr. Speaker

NOES: 012

Berkstresser Clayton Froelker Gaston Hohulin

Kasten Legan Miller Murphy Reinhart

Richardson Rizzo

PRESENT: 000

ABSENT WITH LEAVE: 005

Green Lawson Shear Stoll Williams 121

VACANCIES: 001

On motion of Representative Backer, **SCS HB 1734** was truly agreed to and finally passed by the following vote:

AYES: 139

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Bland Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Gibbons Graham 106 Graham 24 Gratz

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Leake Levin

Liese Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McClelland Merideth

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Relford

Reynolds Ridgeway Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Skaggs Smith

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wilson Wooten Mr. Speaker

NOES: 016

Berkstresser Boatright Clayton Froelker Gaskill

Gaston Hohulin Kasten Legan Miller

Murphy Reinhart Richardson Rizzo Steen

Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 007

Green Lawson Linton McBride McLuckie

Shear Shields

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Copeland moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

HB 1609, with Senate Committee Amendment No. 1, relating to St. Louis police compensation, was taken up by Representative Shelton (57).

On motion of Representative Shelton (57), the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Griesheimer
Gross Gunn Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Leake Legan Levin
Liese Linton Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 002

Hohulin Murphy

PRESENT: 000

ABSENT WITH LEAVE: 007

Clayton Franklin Green Hagan-Harrell Lawson

Lograsso Shear

VACANCIES: 001

On motion of Representative Shelton (57), **HB 1609, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 003

Hohulin Ridgeway Steen

PRESENT: 000

ABSENT WITH LEAVE: 005

Dolan Green Holand Lawson Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Alter Auer Backer Ballard Barnett
Barry 100 Bartlett Bauer Bennett Bland
Bonner Boucher Bray 84 Broach Burton
Campbell Carter Champion Chrismer Cierpiot
Clayton Cooper Copeland Crawford Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Elliott
Enz Evans Farnen Fitzwater Foley
Ford Franklin Fritts Froelker Gaston
Gibbons Graham 106 Graham 24 Gratz Griesheimer
Gross Gunn Hagan-Harrell Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Leake Legan Levin Liese
Linton Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pryor Ransdall Relford
Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 015

Akin Bartelsmeyer Berkstresser Boatright Edwards-Pavia

Foster Gaskill Hall Hohulin Lograsso

Merideth Pouche Purgason Reinhart Steen

PRESENT: 000

ABSENT WITH LEAVE: 004

Green Harlan Lawson Shear

VACANCIES: 001

On motion of Representative Luetkenhaus, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

HB 1730, with Senate Committee Amendment No. 1, relating to operating a motor vehicle, was taken up by Representative Townley.

On motion of Representative Townley, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Crawford Green Holand Kelley 47 Lawson

Shear

VACANCIES: 001

On motion of Representative Townley, **HB 1730, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Lakin Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schwab Scott Secrest Seigfreid Sheldon 104
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Crump Froelker Green Kreider Lawson
Schilling Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Graham (24), title to the bill was agreed to.

Representative Koller moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

HB 1410, with Senate Committee Amendment No. 1, relating to license plates for physically disabled, was taken up by Representative Luetkenhaus.

Representative Luetkenhaus moved that the House refuse to concur in Senate Committee Amendment No. 1 and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HB 1511, with Senate Committee Amendment No. 1, relating to local log truck, was taken up by Representative Koller.

On motion of Representative Koller, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shields Skaggs Smith Stokan

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Clayton Hoppe Lawson Lograsso Mays 50

Shear Shelton 57 Steen Stoll

VACANCIES: 001

On motion of Representative Koller, **HB 1511, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Leake

Legan Levin Liese Linton Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Graham 106 Hoppe Lakin Lawson Lograsso

Scheve Shear Sheldon 104 Steen

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hickey, title to the bill was agreed to.

Representative Johnson moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1596, relating to highway corridor preservation, was taken up by Representative Leake.

On motion of Representative Leake, **SCS HB 1596** was adopted by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Leake Levin
Liese Linton Long Loudon Luetkenhaus
Marble May 108 McBride McClelland Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Campbell Dolan Green Hoppe Lawson
Legan Lograsso Mays 50 McLuckie Richardson
Shear Steen

VACANCIES: 001

On motion of Representative Leake, **SCS HB 1596** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hoppe Hosmer Howerton Johnson
Kauffman Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Leake Legan
Levin Liese Linton Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Sheldon 104
Shelton 57 Shields Skaggs Smith Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Champion Hollingsworth Kasten Kelley 47 Lawson
Lograsso Shear Steen

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Stoll, title to the bill was agreed to.

Representative Wiggins moved that the vote by which the bill passed be reconsidered.

Representative Carter moved that motion lay on the table.

The latter motion prevailed.

Representative Smith assumed the Chair.

THIRD READING OF HOUSE BILLS

HB 1782, relating to public health, was taken up by Representative Kennedy.

Representative Kennedy moved that **HB 1782** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 060

Auer Backer Barry 100 Bland Bonner
Boucher Bray 84 Campbell Carter Clayton
Crump Daniel 42 Davis 122 Davis 63 Days
DeMarce Donovan Dougherty Evans Fitzwater
Foley Gaskill Graham 24 Green Gunn
Hagan-Harrell Hickey Hilgemann Hollingsworth Hoppe
Hosmer Johnson Kennedy Kissell Lakin
Leake Liese May 108 McBride McLuckie
Murphy Murray Nordwald O'Connor O'Toole
Rizzo Scheve Schilling Seigfreid Shelton 57
Smith Steen Stokan Stoll Stroker
Thomason 163 Treadway Van Zandt Williams 121 Wilson

NOES: 092

Akin Alter Ballard Barnett Bartelsmeyer
Bartlett Bauer Bennett Berkstresser Boatright

Broach Burton Champion Chrismer Cierpiot
Cooper Copeland Crawford Daniels 41 Dolan
Edwards-Pavia Elliott Enz Farnen Foster
Franklin Fritts Froelker Gaston Gibbons
Graham 106 Gratz Griesheimer Gross Hall
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hohulin Holand Howerton Kasten Kauffman
Kelley 47 Kelly 27 Klindt Koller Kreider
Legan Levin Linton Lograsso Long
Loudon Luetkenhaus Marble Mays 50 McClelland
Merideth Miller Monaco Naeger Ostmann
Overschmidt Parker Patek Pouche Purgason
Ransdall Reinhart Reynolds Richardson Ridgeway
Robirds Ross Sallee Schwab Scott
Sheldon 104 Shields Summers Surface Thompson 72
Townley Troupe Vogel Wannenmacher Wiggins
Williams 159 Wooten

PRESENT: 000

ABSENT WITH LEAVE: 010

Ford Harlan Lawson Pryor Relford
Secrest Shear Skaggs Thompson 37 Mr. Speaker

VACANCIES: 001

Speaker Gaw assumed the Chair.

HCS HB 1891, relating to carry and conceal of firearms, was taken up by Representative Crump.

On motion of Representative Crump, **HCS HB 1891** was read the third time and passed by the following vote:

AYES: 125

Akin Alter Backer Barnett Barry 100
Berkstresser Boatright Bonner Boucher Broach
Burton Champion Clayton Cooper Copeland
Crawford Crump Daniels 41 Davis 122 DeMarce
Dolan Edwards-Pavia Elliott Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hall Hartzler 123 Heckemeyer
Hendrickson Hickey Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Leake Legan
Levin Liese Linton Lograsso Loudon
Luetkenhaus Marble Mays 50 McBride McLuckie
Merideth Miller Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Purgason Ransdall
Reinhart Relford Reynolds Richardson Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Sheldon 104
Shields Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Townley Treadway Troupe Vogel Wannenmacher
Wiggins Williams 159 Wilson Wooten Mr. Speaker

NOES: 035

Auer Ballard Bartelsmeyer Bartlett Bauer
Bennett Bland Bray 84 Campbell Carter
Chrismer Cierpiot Daniel 42 Davis 63 Days
Donovan Dougherty Enz Hagan-Harrell Harlan
Hartzler 124 Hegeman Hilgemann Kauffman Long
May 108 McClelland Monaco Pryor Ridgeway
Shelton 57 Skaggs Thompson 72 Van Zandt Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 002

Lawson Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gunn, title to the bill was agreed to.

Representative Fritts moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

MOTION

SCS HS HCS HB 1323, as amended, relating to credit unions, was taken up by Representative Green.

On motion of Representative Green, **SCS HS HCS HB 1323, as amended,** was adopted by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Scott Secrest Seigfreid Sheldon 104
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 004

Campbell Gibbons Hegeman Hoppe

ABSENT WITH LEAVE: 004

Lawson Schwab Shear Williams 121

VACANCIES: 001

On motion of Representative Green, **SCS HS HCS HB 1323, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 004

Campbell Gibbons Hegeman Hoppe

ABSENT WITH LEAVE: 004

Dolan Lawson Schwab Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Stroker, title to the bill was agreed to.

Representative Murray moved that the vote by which the bill passed be reconsidered.

Representative Parker moved that motion lay on the table.

The latter motion prevailed.

RECESS

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Laura Eisenbeis, Maggie Jones, Elizabeth Waterland, Anna McLaughlin, Chabreshea Egson, Shaletra Harris, Pauline Lizenbee, Donta McClinton, Kentasha Moore, Chris Payton, Alicia Peel, David Penny, Laresa Sterling, Tyrone Wade and Denesha Walton.

RESOLUTIONS

Representative Parker offered House Resolution No. 1169, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Overschmidt offered House Resolution No. 1170, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Purgason offered House Resolution No. 1171 through House Resolution No. 1174, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Liese offered House Resolution No. 1175 and House Resolution No. 1176, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sallee offered House Resolution No. 1177, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Ross and Lograsso offered House Resolution No. 1178, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 1179, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 1180, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Townley and Froelker offered House Resolution No. 1181, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stroker offered House Resolution No. 1182, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1183, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crawford offered House Resolution No. 1184, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Copeland offered House Resolution No. 1185, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Patek offered House Resolution No. 1186, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 1187, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 944, HCS HBs 957 & 1063, HB 1092, HB 1304 and HB 1802,** begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred HB 1380 and HS HB 1796, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF SENATE BILLS

HCS SB 883, as amended, with House Substitute Amendment No. 1 for House Amendment No. 6, and House Amendment No. 6, pending, relating to transportation oversight, was again taken up by Representative Koller.

On motion of Representative Luetkenhaus, House Substitute Amendment No. 1 for House Amendment No. 6 was adopted by the following vote:

AYES: 137

Akin Alter Backer Ballard Barry 100

Bartelsmeyer Bartlett Bauer Berkstresser Bland

Boatright Bonner Boucher Broach Burton

Carter Chrismer Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Howerton Johnson

Kasten Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Lakin Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 McBride

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Purgason

Ransdall Reinhart Relford Richardson Ridgeway

Rizzo Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Vogel Wannenmacher Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 011

Auer Bray 84 Campbell Dougherty Hartzler 123

Hohulin Kauffman Murphy Pryor Robirds

Van Zandt

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnett Bennett Champion Cierpiot Fritts

Hosmer Kreider Lawson Mays 50 McClelland

Reynolds Shear Sheldon 104 Wiggins

VACANCIES: 001

Representative Thomason (163) offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 883, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 23.150, 23.160, 23.170, 23.180, 23.190, 33.825, 33.827, 33.819, 33.831, 226.040, 227.140 and 326.100, RSMo 1994, and sections 23.1400, 226.005 and 326.210, RSMo Supp. 1997, relating to the oversight of certain state departments, and to enact in lieu thereof twelve new sections relating to the"; and

Further amend said bill, Page 1, Section A, Lines 1 through 4, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 23.150, 23.160, 23.170, 23.180, 23.190, 33.825, 33.827, 33.829, 33.831, 116.040, 226.140 and 326.100, RSMo 1994, and sections 23.140, 226.005 and 326.210, RSMo Supp. 1997, are repealed and twelve new sections enacted in lieu thereof, to be known as sections 21.795, 23.140, 23.150, 23.160, 23.170, 23.180, 23.190, 226.005, 226.040, 226.140, 326.100 and 326.210, to read as follows:"; and

Further amend said bill, Page 3, Section 21.795, Line 77, by inserting after all of said line the following:

"23.140. 1. Legislation, with the exception of appropriation bills, introduced into either house of the general assembly shall, before being acted upon, be submitted to the oversight division of the committee on legislative research for the preparation of a fiscal note. The staff of the oversight division shall prepare a fiscal note, examining the items contained in subsection 2 and such additional items as may be provided either by joint rule of the house and senate or by resolution adopted by the committee or the oversight subcommittee.

2. The fiscal note shall state:

(1) The cost of the proposed legislation to the state for the next two fiscal years;

(2) Whether or not the proposed legislation will establish a program or agency that will duplicate an existing program or agency;

(3) Whether or not there is a federal mandate for the program or agency;

(4) Whether or not the proposed program or agency will have significant direct fiscal impact upon any political subdivision of the state;

(5) Whether or not any new physical facilities will be required; and

(6) Whether or not the proposed legislation will have an economic impact on small businesses. For the purpose of this subdivision "small business" means a corporation, partnership, sole proprietorship or other business entity, including its affiliates, that:

(a) Is independently owned and operated; and

(b) Employs fifty or fewer full-time employees.

3. The fiscal note for a bill shall accompany the bill throughout its course of passage. No member of the general assembly, lobbyist or persons other than oversight division staff members shall participate in the preparation of any fiscal note unless the communication is in writing, with a duplicate to be filed with the fiscal note or unless requested for information by the fiscal analyst preparing the note. Violations of this provision shall be reported to the chairman of the legislative research committee and subject the fiscal note and proposed bill to subcommittee review. Once a fiscal note has been signed and approved by the director of the oversight division, the note shall not be changed or revised without prior approval of the chairman of the legislative research committee, except to reflect changes made in the bill it accompanies, or to correct patent typographical, clerical or drafting errors that do not involve changes of substance, nor shall substitution be made therefor. Appeals to revise, change or to substitute a fiscal note shall be made in writing by a member of the general assembly to the chairman of the legislative research committee and a hearing before the committee or subcommittee shall be granted as soon as possible. Any member of the general assembly, upon presentation of new or additional material, may, within three legislative days after the hearing on the request to revise, change or substitute a fiscal note, request one rehearing before the full committee to further consider the requested change. The subcommittee, if satisfied that new or additional material has been presented, may

recommend such rehearing to the full committee, and the rehearing shall be held as soon as possible thereafter.

4. The director of the division, hereinafter provided for, or the director's designees, shall seek information and advice from the affected department, division or agency of state government and shall call upon the research staffs of the house of representatives and of the senate, and upon the staffs of the house and senate appropriations committees for assistance in carrying out fiscal notes and [auditing] other functions and duties, during the interim, and each staff shall supply such information or advice as it may possess in response to the inquiry. [The state auditor shall, upon request, cooperate and provide assistance in the conduct of audits and the preparation of reports made in connection therewith.]

23.150. 1. The committee on legislative research shall organize an oversight division to prepare fiscal notes and to [conduct management audits and program audits of state agencies] perform fiscal analyses and conduct performance evaluations and expenditure reviews of agencies, departments, bureaus, divisions, authorities, commissions, offices or institutions, educational or otherwise, of the state, or any political subdivision thereof which shall include all county governments and agencies thereof, all city governments and agencies thereof, and all public school districts and agencies thereof to the extent that they receive funds appropriated by the general assembly. Such analyses, evaluations and reviews may be conducted pursuant to a resolution adopted by the committee upon a request from a member or committee of the general assembly or pursuant to a duly adopted concurrent resolution of the general assembly for the purpose of obtaining information necessary to legislative decisions as to future funding of agencies by appropriation and other aspects of the lawmaking process. The committee may form a subcommittee of not less than six members to provide direct supervision of the personnel and practices of the division. The subcommittee shall consist of one-half of the members appointed by the chairman from the house which he represents and one-half of the members appointed by the vice chairman from the house which he represents.

2. Within the limits of the appropriations made for this division, the committee shall employ a director of the oversight division and other personnel as it deems necessary. The director shall be qualified by training and experience to conduct such [audits, and he] analyses, evaluations and reviews, and shall be directly responsible for those activities. The director of the oversight division, with the consent of the joint committee, may employ personnel necessary to carry out the duties prescribed in this chapter. Persons employed to work in the oversight division shall be professional persons possessing a wide knowledge and demonstrated expertise in governmental programming and financial planning, in conducting program review evaluations and analytic studies, and of federal, state, and local government budgetary processes, laws and regulations of the state of Missouri. [Office space, furniture and equipment formerly assigned to the committee on state fiscal affairs, and appropriations made therefor, shall be transferred to the committee on legislative research.]

23.160. [1.] As used in this chapter, [the term "management audit" means a postaudit which determines, with regard to the purpose, functions, and duties of an audited agency:

(1) Whether the agency is managing and utilizing its resources in an economical and efficient manner; and

(2) Which identifies causes of inefficiencies or uneconomical practices including inadequacies in the use and management of information systems, internal and administrative procedures, organizational structure, use of resources, allocation of personnel, and purchasing policies.

2. As used in this chapter, the term "program audit" means a postaudit which determines and evaluates program performance according to program objectives, responsibilities, and duties as set forth by statute or regulation. Program audits, in accordance with generally accepted program evaluation standards, shall determine:

(1) Whether the program is being performed and administered as authorized or required by law, and whether this action conforms with statutory intent;

(2) Whether the objectives and intended benefits are being achieved, and whether efficiently and effectively;

(3) Benefits derived from any program in relation to the expenditures made therefor; and

(4) Whether the program duplicates, overlaps, or conflicts with any other state program. A program audit may include determinations within the scope of a management audit to the extent necessary or appropriate to the conduct of a particular program audit.

3. As used in this chapter, the term "resources" includes appropriated funds, federal funds, grants, and personnel, and also includes equipment and space, whether assigned, owned or leased.

4. As used in this chapter, the term "agency" includes each department and office within the executive branch of government and each identifiable unit thereof, including institutions of higher learning, and each identifiable unit of the legislative and judicial branches of government.] the following terms mean:

(1) "Agency", an agency, department, bureau, division, authority, commission, office or institution, educational or otherwise, of the state, or any political subdivision thereof which shall include all county governments and agencies thereof, all city governments and agencies thereof, and all public school districts and agencies thereof, which receive funds appropriated by the general assembly;

(2) "Expenditure review", an examination made at some point after the completion of a transaction or a group of transactions for the overall purpose of advising the general assembly of the proper funding levels;

(3) "Performance evaluation", an examination of the effectiveness of the administration, its sufficiency and its adequacy in terms and the programs of the agency authorized by law to be performed for the purpose of making legislative changes. Such evaluations shall include, but not be limited to:

(a) How effectively the programs are administered;

(b) Benefits of each program in relation to the expenditures;

(c) Goals of programs;

(d) Development of indicators by which the success or failure of a program may be gauged;

(e) Review conformity of programs with legislative intent;

(f) Impact of federal grant programs on agency programs.

23.170. 1. The oversight division of the committee on legislative research shall, pursuant to a duly adopted concurrent resolution of the general assembly, or pursuant to a resolution adopted by the committee on legislative research, [conduct management audits and program audits] perform fiscal analyses and conduct performance evaluations and expenditure reviews of agencies as directed by any such resolution. The purpose of such analyses, evaluations and reviews shall be to gather information necessary to the general assembly's consideration of proposed legislation, including, but not limited to, appropriations bills.

2. The staff of any agency subject to a [management or program audit] fiscal analysis, performance evaluation or expenditure review shall fully cooperate with the staff of the oversight division and shall provide all necessary information and assistance for such an [audit] analysis, evaluation or review. All records of an agency[, unless otherwise expressly declared by law to be confidential,] may be inspected by the oversight division staff while conducting the [audit] fiscal analysis, performance evaluation or expenditure review, and the agency subject to the [audit] fiscal analysis, performance evaluation or expenditure review shall afford the oversight division staff with ample opportunity to observe agency operations. All records of an agency which are exempt from disclosure by state law, shall remain exempt when in the possession of the oversight division.

3. All [audits] fiscal analyses, performance evaluations or expenditure reviews shall be completed within one year unless an extension is authorized by the committee[, but progress reports shall be made to the committee at least monthly]. The subcommittee supervising the oversight division shall meet [monthly] as needed to review progress [reports] on work of the oversight division, hear requests for changes in fiscal notes, and provide supervision for the oversight division staff as directed by the committee on legislative research.

4. Any member of the general assembly and any committee of either house of the general assembly may submit requests for [audits] fiscal analyses, performance evaluations or expenditure reviews to the committee on legislative research[, and any agency may request an audit of its operations] for the purpose of obtaining information which would be needed in determining future appropriations of public funds. Requests may also be made pursuant to obtaining information necessary for the drafting of proposed legislation.

23.180. The committee may:

(1) Subpoena and examine witnesses by subpoena issued under the hand of the speaker of the house or the president pro tem of the senate and may require the appearance of any person and [the production of any paper or document] issue subpoenas duces tecum in the same manner. All such process shall be executed by the sergeant at arms of the house of representatives or senate, or by a special messenger appointed for that purpose and shall extend to all parts of the state. The subpoenas and subpoenas duces tecum may be enforced as authorized by the Constitution or as provided by statutory or common law, or by applying to a judge of the circuit court of Cole County or the county of the investigation, hearing or proceeding, or any county where the person or entity that has been subpoenaed resides or may be found, for an order to show cause why the subpoena or subpoena duces tecum should not be enforced. The order and a copy of the application therefor shall be served in the same manner as a summons in a civil action, and if, after hearing, the court determines that the subpoena or subpoena duces tecum should be sustained and enforced, the court shall enforce the subpoena or subpoena duces tecum in the same manner as if it had been issued by the court in a civil action;

(2) Cause witnesses appearing before the committee or the staff of the division to give testimony under oath;

(3) Require that testimony given or a record of the proceedings of any hearing be recorded by an official court reporter or other competent person, under oath, in writing or by electronic, magnetic, or mechanical sound or video recording devices. Any such transcript or record, when certified by the reporter or recorder, shall be prima facie a correct statement of the testimony or proceedings.

23.190. [1. In making audits the division shall make recommendations and suggestions, in writing, to the personnel of the agency being audited. Such personnel shall be given an opportunity to respond, in writing, to those recommendations and suggestions. Thereafter, as soon as practicable after completion of the audit, the

committee shall issue a public report of the audit. The report shall contain recommendations for changes in practices and policies as well as recommendations for changes in statutes and regulations, and shall contain the response of the agency involved. Each report shall be a public record and shall be signed by the committee chairman. Each report shall be presented to the governor and the agency involved. Copies may be made available to members of the general assembly and to the general public. The committee may charge a fee to recover publication costs for copies made available to the general public.

2. One year after completion of each audit, the oversight division shall review the operations of the agency audited to determine whether or not there has been substantial compliance with the recommendations contained in the report, and if not, a further review shall be conducted at the end of another year. In each instance a further report shall be made and distributed in the same manner as an initial report is made and distributed.] The committee shall issue fiscal analysis reports, performance evaluation reports and expenditure review reports, in a public hearing of the committee on legislative research or any other affected committee, and any such report shall be a public record. Reports may contain, but need not be limited to, recommendations for changes in statutes or regulations, as well as changes in funding levels. Reports may also contain recommendations for changes in policies and procedures when it appears that such recommendations would be helpful to agency management but such recommendations would not be binding on the agency. All recommendations shall be communicated to the appropriate legislative committees. A copy of the report, signed by the chairman of the committee and the director of the oversight division, shall be submitted to each member of the legislature. The report shall also be submitted to the governor and to the official, officer, or person in charge of the agency evaluated for their consideration in the submission of annual budgets to the legislature."; and

Further amend said bill, Page 5, Section 226.140, Line 11, by inserting after all of said line the following:

"326.100. All statements, records, schedules and memoranda, commonly known as working papers, made by a certified public accountant or a public accountant, or by an employee of either, incident to or in the course of professional service to clients, except reports delivered to a client, shall be and remain the property of such certified public accountant or public accountant, in the absence of a written agreement between the accountant and the client to the contrary. This section does not apply to a certified public accountant employed by a government agency with respect to work produced in the performance of their duties as a government employee.

326.210. 1. Permits to engage in the practice of public accounting in this state shall be issued by the board, upon payment of the fee as prescribed pursuant to section 326.200, to holders of the certificates of certified public accountants issued pursuant to section 326.060, and to holders of public accountant certificates, who shall have furnished evidence satisfactory to the board of compliance with the requirements of subsection 2 of this section, and to firms, partnerships and corporations registered pursuant to section 326.040 or 326.050. All permits shall expire on the permit renewal date and may be renewed for each licensing period upon payment of the renewal fee as prescribed pursuant to section 326.200. A permit holder whose permit has expired and who has not renewed the person's permit within two months of the permit renewal date may renew the person's permit upon payment of the permit fee together with a delinquent fee. No permit shall be renewed more than two years after expiration. Permits to engage in the practice of public accounting shall not be issued to the holder of a certificate issued by this state pursuant to section 326.060 until such person shall have had:

(1) Two years' experience acceptable to the board in the practice of public accounting under the supervision of a certified public accountant holding a certificate and live permit from this or another state, which experience shall include, but not be limited to, two years' experience in the practice of [public] governmental accounting or auditing under the supervision of the state auditor who is a certified public accountant holding a certificate and live permit from this or another state or two years' experience in the practice of fiscal analysis, performance evaluation and expenditure review for the committee on legislative research under the supervision of the director of the oversight division who is a certified public accountant holding a certificate and live permit from this or another state; or

(2) At least two years of satisfactory experience acceptable to the board as a certified public accountant in the legal practice of public accounting in another state while holding a live permit to practice from the other state; or

(3) Four years' experience acceptable to the board in the practice of governmental accounting, budgeting or auditing, including auditing of tax returns, as an employee of the state of Missouri, a political subdivision of this state, or the United States government, under the supervision of a certified public accountant acceptable to the board holding a certificate and live permit from this or another state, who is the head of the department, division or unit in which such person is employed. Only one year of public accounting experience shall be required of an internal revenue agent who has been issued a certificate by this state pursuant to section 326.060 and who has had at least four years' experience as an employee of the federal government as an internal revenue agent in the Internal Revenue Service, of which at least two years is certified by a district director of Internal Revenue Service as having been of field agent experience at the journeyman level, grade GS-512-11 or above, as specified in the United States Civil Service Commission's qualification standard as of December 1, 1975; or

(4) Four years' experience acceptable to the board in the practice of accounting for a corporation, partnership or other business entity, other than a governmental entity described in subdivision (3) of this subsection, under the supervision of a certified public accountant, acceptable to the board, holding a certificate and live permit from this or another state and who is head of the department, division or unit in which such person is employed; or

(5) Experience substantially equivalent to the experience requirement of this state as the holder of a certificate, license or degree in a foreign country constituting a recognized qualification for the practice of public accounting in such country.

2. After the expiration of the three-year period immediately following the effective date of board regulations establishing requirements of continuing education, every application for renewal of an annual permit to practice by any person who has held a certificate as a certified public accountant for three years or more shall be accompanied or supported by such evidence, as the board shall prescribe, of satisfaction of such requirements during the last three years preceding the application. Failure by an applicant for renewal of an annual permit to furnish such evidence shall constitute grounds for revocation, suspension or refusal to renew such permit in a proceeding pursuant to section 326.130, unless the board, in its discretion, shall determine such failure to have been due to reasonable cause or excusable neglect. The board, in its discretion, may renew an annual permit to practice despite failure to furnish evidence of satisfaction of requirements of continuing education upon condition that the applicant follow a particular program or schedule of continuing education.

3. The attestation or opinion concerning the presentation of financial or other quantitative data shall be restricted to those holding a live permit pursuant to this section.

4. Refusal by the resident manager of an office, registered pursuant to section 326.055, to submit such office to peer review, if required by the board, shall constitute grounds for revocation, suspension or refusal to renew the manager's permit in a proceeding pursuant to section 326.130.".

On motion of Representative Thomason (163), House Amendment No. 7 was adopted.

Representative Thomason (163) offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 883, Page 5, Line 11 by inserting after said line the following:

43.030. 1. The superintendent of the Missouri state highway patrol shall be appointed by the governor by and with the advice and consent of the senate. The superintendent shall hold office at the pleasure of the governor. The superintendent shall be a citizen of the United States and a resident taxpaying citizen of this state for a period of three years previous to being appointed as superintendent and shall be at least thirty years of age. The superintendent shall maintain an office and reside in Jefferson City.

2. The superintendent of the Missouri state highway patrol shall:

(1) Have command of the patrol and perform all duties imposed on the superintendent and exercise all of the powers and authority conferred upon the superintendent by the provisions of this chapter and the requirements of chapter 650, RSMo;

(2) Within available appropriations, establish an equitable pay plan for the members of the highway patrol and radio personnel taking into consideration ranks and length of service.

[3. The annual salary of members of the highway patrol and radio personnel shall be increased by the same percentage increase and lump sum increase granted to state merit employees covered by the provisions of chapter 36, RSMo. Such increases shall include only the cost-of-living portion of the pay plan appropriated for merit employees and shall be based upon the actual current salary.]

On motion of Representative Thomason (163), House Amendment No. 8 was adopted.

Representative Marble offered House Amendment No. 9.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 883, Page 3, Section 226.005, Line 8, by adding after said line the following:

3. The means by which employees of the Department of Transportation are compensated may not be restricted to direct deposit.

On motion of Representative Marble, House Amendment No. 9 was adopted.

On motion of Representative Koller, HCS SB 883, as amended, was adopted.

On motion of Representative Koller, HCS SB 883, as amended, was read the third time and passed by the following vote:

AYES: 149

Akin Alter Backer Ballard Barnett

Barry 100 Bartlett Bennett Berkstresser Bland

Boatright Bonner Boucher Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Howerton Johnson

Kasten Kauffman Kelley 47 Kennedy Kissell

Klindt Koller Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 004

Auer Dougherty Murphy Sheldon 104

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartelsmeyer Bauer Bray 84 Hall Hosmer

Kelly 27 Kreider Richardson Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hagan-Harrell, title to the bill was agreed to.

Representative McBride moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

HCS SCS SB 501, relating to public school retirement systems, was taken up by Representative Stoll.

Representative Stoll offered HS HCS SCS SB 501.

Representative Auer offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 501, Page 3, Section 169.020, Lines 12 and 13, by deleting all of said lines and inserting in lieu thereof the following:

"(1) One member of a school board for a public school in a school district included in the retirement system to be appointed by the governor with the advice and"; and

Further amend said bill, Page 4, Section 169.020, Line 4, by deleting all of said line and inserting in lieu thereof the following: "4. Trustees appointed by the [state board of education] governor"; and

Further amend said bill, Page 4, Section 169.020, Line 22, by deleting the closing bracket "]" after the number "5."; and

Further amend said bill, Page 5, Section 169.020, Line 3, by deleting the numbers "[6.] 5." and inserting in lieu

thereof the number "6."; and

Further amend said bill, Page 5, Section 169.020, Line 6, by deleting the numbers "[7.] 6." and inserting in lieu thereof the number "7."; and

Further amend said bill, Page 5, Section 169.020, Line 9, by deleting the numbers "[8.] 7." and inserting in lieu thereof the number "8."; and

Further amend said bill, Page 5, Section 169.020, Line 16, by deleting the numbers "[9.] 8." and inserting in lieu thereof the number "9."; and

Further amend said bill, Page 6, Section 169.020, Line 11, by deleting the numbers "[10.] 9." and inserting in lieu thereof the number "10."; and

Further amend said bill, Page 6, Section 169.020, Line 16, by deleting the numbers "[11.] 10." and inserting in lieu thereof the number "11."; and

Further amend said bill, Page 7, Section 169.020, Line 1, by deleting the numbers "[12.] 11." and inserting in lieu thereof the number "12."; and

Further amend said bill, Page 7, Section 169.020, Line 5, by deleting the number "[13.] 12." and inserting in lieu thereof the number "13."; and

Further amend said bill, Page 7, Section 169.020, Line 13, by deleting the numbers "[14.] 13." and inserting in lieu thereof the number "14."; and

Further amend said bill, Page 7, Section 169.020, Line 18, by deleting the numbers "[15.] 14." and inserting in lieu thereof the number "15."; and

Further amend said bill, Page 8, Section 169.020, Line 21, by deleting the numbers "[16.] 15." and inserting in lieu thereof the number "16."; and

Further amend said bill, Page 9, Section 169.020, Line 8, by deleting the numbers "[17.] 16." and inserting in lieu thereof the number "17."; and

Further amend said bill, Page 9, Section 169.020, Line 19, by deleting the number "[18.] 17." and inserting in lieu thereof the number "18."; and

Further amend said bill, Page 10, Section 169.020, Line 3, by deleting the number "[19.] 18." and inserting in lieu thereof the number "19."; and

Further amend said bill, Page 10, Section 169.020, Line 11, by deleting the numbers "[20.] 19." and inserting in lieu thereof the number "20."; and

Further amend said bill, Page 10, Section 169.020, Line 17, by deleting the numbers "[21.] 20." and inserting in lieu thereof the number "21."; and

Further amend said bill, Page 10, Section 169.020, Line 21, by deleting the number "[22.] 21." and inserting in lieu thereof the number "22."; and

Further amend said bill, Page 11, Section 169.020, Line 5, by deleting the number "[23.] 22." and inserting in lieu thereof the number "23.".

Representative Williams (159) offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 501, Pages 1 to 11, Section 169.020, by deleting all of said section and inserting in lieu thereof the following:

"169.020. 1. For the purpose of providing retirement allowances and other benefits for public school teachers, there is hereby created and established a retirement system which shall be a body corporate, shall be under the management of a board of trustees herein described, and shall be known as "The Public School Retirement System of Missouri". Such system shall, by and in [said] such name, sue and be sued, transact all of its business, invest all of its funds, and hold all of its cash, securities, and other property. The system so created shall include all school districts in this state, except those in cities that had populations of four hundred thousand or more according to the latest United States decennial census, and such others as are or hereafter may be included in a similar system or in similar systems established by law and made operative; provided, that teachers in school districts of more than four hundred thousand inhabitants who are or may become members of a local retirement system may become members of this system with the same legal benefits as accrue to present members of such state system on the terms and under the conditions provided for in section 169.021. The system hereby established shall begin operations on the first day of July next following the date upon which sections 169.010 to 169.130 shall take effect.

2. The general administration and the responsibility for the proper operation of the retirement system and for making effective the provisions of sections 169.010 to 169.141 are hereby vested in a board of trustees of seven persons as follows: [Two persons to be appointed as trustees by the state board of education;] Four persons to be elected as trustees by the members and retired members of the public school retirement system created by sections 169.010 to 169.141 and the nonteacher school employee retirement system created by sections 169.600 to 169.715; [the state commissioner of education who shall serve as trustee by virtue of the commissioner's office.] and three members appointed by the governor with the advice and consent of the senate. The first member appointed by the governor shall replace the commissioner of education for a term beginning August 28, 1998. The other two members shall be appointed by the governor at the time each member's, who was appointed by the state board of education, term expires.

3. Trustees appointed and elected shall be chosen for terms of four years from the first day of July next following their appointment or election, except that one of the elected trustees shall be a member of the nonteacher school employee retirement system and shall be initially elected for a term of three years from July 1, 1991. The initial term of one other elected trustee shall commence on July 1, 1992.

4. Trustees appointed by the [state board of education] governor shall be residents of school districts included in the retirement system, but not employees of such districts or a state employee or a state elected official. At least one trustee so appointed shall be a retired member of the public school retirement system or the nonteacher school employee retirement system. Three elected trustees shall be members of the public school retirement system and one elected trustee shall be a member of the nonteacher school employee retirement system.

5. The elections of the trustees shall be arranged for, managed and conducted by the board of trustees of the retirement system.

6. If a vacancy occurs in the office of trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.

7. Trustees of the retirement system shall serve without compensation but they shall be reimbursed for expenses necessarily incurred through service on the board of trustees.

8. Each trustee shall be commissioned by the governor, and before entering upon the duties of the trustee's office, shall take and subscribe to an oath or affirmation to support the Constitution of the United States, and of the state of Missouri and to demean himself or herself faithfully in the trustee's office. Such oath as subscribed to shall be filed in the office of secretary of state of this state.

9. Each trustee shall be entitled to one vote in the board of trustees. Four votes shall be necessary for a decision by the trustees at any meeting of the board of trustees. Unless otherwise expressly provided herein, a meeting need not be called or held to make any decision on a matter before the board. Each member must be sent by the executive director a copy of the matter to be decided with full information from the files of the board of trustees. The unanimous decision of four trustees may decide the issue by signing a document declaring their decision and sending such written instrument to the executive director of the board, provided that no other member of the board of trustees shall send a dissenting decision to the executive director of the board within fifteen days after such document and information was mailed to the trustee. If any member is not in agreement with four members the matter is to be passed on at a regular board meeting or a special meeting called for the purpose.

10. The board of trustees shall elect one of their number as chairman, and shall employ a full-time executive director, not one of their number, who shall be the executive officer of the board. Other employees of the board shall be chosen only upon the recommendation of the executive director.

11. The board of trustees shall employ an actuary who shall be its technical adviser on matters regarding the operation of the retirement system, and shall perform such duties as are essential in connection therewith, including the recommendation for adoption by the board of mortality and other necessary tables, and the recommendation of the level rate of contributions required for operation of the system.

12. As soon as practicable after the establishment of the retirement system, and annually thereafter, the actuary shall make a valuation of the system's assets and liabilities on the basis of such tables as have been adopted.

13. At least once in the three-year period following the establishment of the retirement system, and in each five-year period thereafter, the board of trustees shall cause to be made an actuarial investigation into the mortality, service, and compensation experience of the members and beneficiaries of the system, and shall make any changes in the mortality, service, and other tables then in use which the results of the investigation show to be necessary.

14. Subject to the limitations of sections 169.010 to 169.141 and 169.600 to 169.715, the board of trustees shall formulate and adopt rules and regulations for the government of its own proceedings and for the administration of the retirement system.

15. The board of trustees shall determine and decide all questions of doubt as to what constitutes employment within the meaning of sections 169.010 to 169.141 and 169.600 to 169.715, the amount of benefits to be paid to members, retired members, beneficiaries and survivors and the amount of contributions to be paid by employer and employee. The executive director shall notify by registered mail both employer and member, retired member, beneficiary or survivor interested in such determination. Any member, retired member, beneficiary or survivor, district or employer adversely affected by such determination, at any time within thirty days after being notified of such determination, may appeal to the circuit court of Cole County. Such appeal shall be tried and determined anew in the circuit court and such court shall hear and consider any and all competent testimony relative to the issues in the case, which may be offered by either party thereto. The circuit court shall determine the rights of the parties under sections 169.010 to 169.141 and 169.600 to 169.715 using the same standard provided in section 536.150, RSMo, and the judgment or order of such circuit court shall be binding upon the parties and the board shall carry out such judgment or order unless an appeal is taken from such decision of the circuit court. Appeals may be had from the circuit court by the employer, member, retired member, beneficiary, survivor or the board, in the manner provided by the civil code.

16. The board of trustees shall keep a record of all its proceedings, which shall be open to public inspection. It shall prepare annually a comprehensive annual financial report, the financial section of which shall be prepared in accordance with applicable accounting standards and shall include the independent auditor's opinion letter. The report shall also include information on the actuarial status and the investments of the system. The reports shall be preserved by the executive director and made available for public inspection.

17. The board of trustees shall provide for the maintenance of an individual account with each member, setting forth such data as may be necessary for a ready determination of the member's earnings, contributions, and interest accumulations. It shall also collect and keep in convenient form such data as shall be necessary for the preparation of the required mortality and service tables and for the compilation of such other information as shall be required for the valuation of the system's assets and liabilities. All individually identifiable information pertaining to members, retirees, beneficiaries and survivors shall be confidential.

18. The board of trustees shall meet regularly at least twice each year, with the dates of such meetings to be designated in the rules and regulations adopted by the board. Such other meetings as are deemed necessary may be called by the chairman of the board or by any four members acting jointly.

19. The headquarters of the retirement system shall be in Jefferson City, where suitable office space, utilities and other services and equipment necessary for the operation of the system shall be provided by the board of trustees and all costs shall be paid from funds of the system. All suits in which the board of trustees, the board's members or employees or the retirement system established by sections 169.010 to 169.141 or 169.600 to 169.715 are parties shall be brought in Cole County.

20. The board may appoint an attorney or firm of attorneys to be the legal advisor to the board and to represent the board in legal proceedings, however, if the board does not make such an appointment, the attorney general shall be the legal advisor of the board of trustees, and shall represent the board in all legal proceedings.

21. The board of trustees shall arrange for adequate surety bonds covering the executive director. When approved by the board, such bonds shall be deposited in the office of the secretary of state of this state.

22. The board shall arrange for annual audits of the records and accounts of the system by a firm of certified public accountants, the state auditor shall review the audit of the records and accounts of the system at least once every three years and shall report the results to the board of trustees and the governor.

23. The board by its rules may establish an interest charge to be paid by the employer on any payments of contributions which are delinquent. The rate charged shall not exceed the actuarially assumed rate of return on invested funds of the pertinent system.".

HCS SCS SB 501, with House Substitute Amendment No. 1 for House Amendment No. 1, House Amendment No. 1 and HS, pending, was laid over.

SS#2 SCS SB 632, with House Committee Amendment Nos. 1 and 2, relating to health care coverage for children, was taken up by Representative Lakin.

Representative Lakin offered HS SS#2 SCS SB 632.

Representative Riback Wilson offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for Senate Substitute #2 for Senate Committee Substitute for Senate Bill No. 632, Page 2, Section 208.185(3), Lines 11-13, by deleting all of said lines and inserting in lieu thereof the following:

"The department of social services is authorized to pay for coverage of health care services for uninsured children whose parents or guardians have an available income between 0% and 300% of the federal poverty level, subject to appropriation."

Representative Kelly (27) offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for Senate Substitute #2 for Senate Committee Substitute for Senate Bill No. 632, Page 2, Section 208.185(3); Lines 11 - 13, by deleting all of said lines and inserting in lieu thereof the following:

"The department of social services is authorized to pay for coverage of health care services for uninsured children whose parents or guardians have an available income between 0% and 185%, between 186% and 225%, between 226% and 250%, between 251% and 275% and between 276% and 300% of the federal poverty level, subject to appropriation."

Representative Shields raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 1 is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Gross requested a division of the question.

The Chair ruled that House Substitute Amendment No. 1 for House Amendment No. 1 is not divisible.

SS#2 SCS SB 632, with House Committee Amendment Nos. 1 & 2, House Substitute Amendment No. 1 for House Amendment No. 1, House Amendment No. 1 and HS, pending, was laid over.

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred SS SCS SB 651, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred SB 734, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred SB 751, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred SCS SB 659, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred HCR 26, begs leave to report it has examined the same and recommends that it Do Pass.

House Concurrent Resolution No. 26

WHEREAS, James Patrick Mulvaney richly deserves a special tribute for his commitment and hard work for the rights of, and services for, the mentally disabled citizens of Missouri, as well as, for his long distinguished career of public service; and

WHEREAS, Jim Mulvaney's political life began when he was elected Alderman for Flordell Hills in St. Louis County, where he served for six years; and

WHEREAS, Jim was elected to the House of Representatives in 1966 and was reelected for four more terms; and during his tenure as a legislator, Jim's extraordinary service as chairman of the Consumer Protection Committee and as a member of the Judiciary and Workmen's Committees earned him recognition from the St. Louis Globe-Democrat with the award for Meritorious Public Service; and

WHEREAS, the St. Louis State School and Hospital has been a significant part of Jim's life as he worked tirelessly with the St. Louis State School and Hospital's Parents Association and the Department of Mental Health to pass mental health legislation, obtain additional funding for mental health facilities and improve the St. Louis State School and Hospital; and

WHEREAS, in 1973 Jim sponsored the milestone legislation, House Bill 474, which required public schools to provide to all handicapped and severely handicapped children up to twenty-one years of age, as an integral part of Missouri's system of gratuitous education, special educational services sufficient to meet the needs and maximize the capabilities of handicapped and severely handicapped children; and

WHEREAS, Governor Christopher S. Bond appointed Jim to the Public Service Commission in 1975 and in 1977, Governor Joseph P. Teasdale named him Chairman of the Commission, where his service on the Commission earned him recognition as "Champion of the Little Guys"; and

WHEREAS, in 1978, Jim was selected by President Jimmy Carter to work for the United States Department of Labor in Kansas City where he was instrumental in developing the Job Corps program, that provides job training for underprivileged youth; and

WHEREAS, since 1981 Jim has been employed as a lobbyist, first for the Bi-State Transit System and more recently as an independent lobbyist working for several health management organizations and the Missouri Credit Union League; and

WHEREAS, James P. Mulvaney has positively touched the lives of countless Missourians through his long tenure of public service:

NOW, THEREFORE, BE IT RESOLVED that in tribute and respect for Jim's efforts on behalf of the mentally disabled citizens of Missouri, the members of the Missouri House of Representatives of the Eighty-ninth General Assembly, Second Regular Session, the Senate concurring therein, hereby declare that the Christy Apartment Building of the Bellefontaine Habilitation Center located at 10695 Bellefontaine Road, St. Louis, Missouri, shall hereinafter be known as the James P. Mulvaney Apartments; and

BE IT FURTHER RESOLVED that the Office of Administration shall be instructed to make appropriate changes to all printed materials and signs to reflect this action in commemoration of this great Missourian; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Office of Administration, the Department of Mental Health and James P. Mulvaney.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred HCR 27, begs leave to report it has examined the same and recommends that it Do Pass.

House Concurrent Resolution No. 27

BE IT FURTHER RESOLVED that the members of the Missouri House of Representatives of the Eighty-ninth General Assembly, Second Regular Session, the Senate concurring therein, that the Missouri Committee on Legislative Research shall prepare and cause to be collated, indexed, printed and bound all acts and resolutions of the Eighty-ninth General Assembly, Second Regular Session, and shall examine the printed copies and compare them with and correct the same by the original rolls, together with an attestation under the hand of the Revisor of Statutes that he has compared the same with the original rolls in his office and has corrected the same thereby; and

BE IT FURTHER RESOLVED that the size and quality of the paper and binding shall be substantially the same as used in prior session laws and the size and style of type shall be determined by the Revisor of Statutes; and

BE IT FURTHER RESOLVED that the Joint Committee on Legislative Research is authorized to print and bind copies of the acts and resolutions of the Eighty-ninth General Assembly, Second Regular Session, with appropriate indexing; and

BE IT FURTHER RESOLVED that the Revisor of Statutes is authorized to determine the number of copies to be printed.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred HR 684, begs leave to report it has examined the same and recommends that it Do Pass.

House Resolution No. 684

WHEREAS, the members of the Missouri House of Representatives fully recognize the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, this legislative body has a long tradition of rendering assistance to those organizations which sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides its participants with a unique insight into the day-to-day operation of our state government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, unanimously join in granting permission to the Missouri YMCA to use the House of Representatives Chambers, Hearing Rooms, and Galleries for the 1998 YMCA Youth in Government Convention Pre-Training on November 21, 1998, from 9:00 a.m. to 3:00 p.m. and the State Convention on December 3-5, 1998.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred HR 885, begs leave to report it has examined the same and recommends that it Do Pass.

House Resolution No. 885

WHEREAS, one hundred fifty years have now passed since the greatest tragedy in Irish history occurred: The Great Irish Famine, also known as An Gorta Mor, the Great Starvation, the Great Hunger, the Irish Potato Blight, the Potato Famine, and the Great Irish Hunger; and

WHEREAS, this catastrophic five-year period between 1845 and 1850 in which millions of Irish people perished or emigrated was due to mass starvation precipitated by a recurring potato crop failure and worsened by acts of the British government which ignored the plight of the people; and

WHEREAS, the thousands upon thousands of bodies which required burial in a short period of time necessitated creation of the "sliding coffin", a hinged coffin which was used to transport the deceased to the graveyard where it would be placed over a huge pit, its bottom would drop, and the victim would fall into the common grave below; and

WHEREAS, Ireland lost nearly one half of its population during this dreadful famine, a catastrophe of astronomic proportions which needs to be examined and discussed in the public schools of Missouri in an effort to reaffirm the commitment of free people of all nations to eradicate the causes of famine that exist in the modern world and to engender an appreciation for Irish Americans; and

WHEREAS, many of the Irish immigrated to the Show-Me State where they distinguished themselves by their great contributions to the formation of Missouri, a long list of remarkable individuals which includes Joseph Charles who in 1808 founded the first newspaper west of the Mississippi River, the *Missouri Gazette*; and

WHEREAS, it would be in the best interests of Missouri's public school students for the State Board of Education to prepare and make available to all school boards instructional materials that can be used as guidelines for the development of a unit of instruction on the Irish Famine:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, unanimously join in expressing our support of the inclusion of a unit of instruction studying the causes and effects of mass starvation in mid-nineteenth century Ireland in every public elementary school and high school curriculum in Missouri; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Missouri Department of Elementary and Secondary Education.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred HB 1450, begs leave to report it has examined the same and recommends that it Do Pass.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 522, entitled:

An act to repeal sections 302.291 and 302.292, RSMo 1994, and to enact in lieu thereof two new sections relating to the reporting and examination of impaired drivers, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 613, entitled:

An act to amend chapter 66, RSMo, by adding thereto one new section relating to water service lines in certain counties, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on HCS SB 778: Senators Jacob, Clay, Caskey, Childers and Mueller.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 802, entitled:

An act to amend chapter 253, RSMo, by adding thereto one new section relating to state historic sites, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on HCS SB 809: Senators Scott, Staples, Clay, Klarich and Ehlmann.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS SB 813 & 864, entitled:

An act to repeal sections 155.010 and 305.230, RSMo 1994, section 144.805, RSMo Supp. 1997, and section 17 as enacted by conference committee substitute for house committee substitute for senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly, relating to aviation, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS SB 852 & 913, entitled:

An act to repeal sections 30.270, 361.080, 362.044, 362.245, 362.250, 408.551, 408.653, 490.250 and 513.430, RSMo 1994, and sections 319.100, 319.131, 362.413, 408.140, 427.125 and 473.543, RSMo Supp. 1997, and to enact in lieu thereof twenty new sections relating to banking.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 898.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 931.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1103.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1107.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1419, entitled:

An act to repeal section 210.030, RSMo 1994, relating to blood tests for pregnant women, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1419, Page 2, Section 210.030, Line 21, by inserting after "testing" the following: "by the department of health".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1508.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1779, entitled:

An act to repeal sections 566.030 and 566.060, RSMo 1994, relating to crimes and punishment, and to enact in lieu thereof two new sections relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1779, Page 2, Section 566.060, Line 13, by inserting immediately after said line the following:

"570.103. 1. As used in sections 570.103 and 570.105, the following words mean:

(1) "Counterfeit mark", any unauthorized reproduction or copy of intellectual property or intellectual property affixed to any item knowingly sold, offered for sale, manufactured, or distributed, or identifying services offered or rendered, without the authority of the owner of the intellectual property;

(2) "Intellectual property", any trademark, service mark, trade name, label, term, device, design, or word adopted or used by a person to identify such person's goods or services;

(3) "Retail value", the counterfeiter's regular selling price for the item or service bearing or identified by the counterfeit mark. In the case of items bearing a counterfeit mark which are components of a finished product, the retail value shall be the counterfeiter's regular selling price of the finished product on or in which the

component would be utilized.

2. Any person who willfully manufactures, uses, displays, advertises, distributes, offers for sale, sells, or possesses with intent to sell or distribute any item, or services, bearing or identified by a counterfeit mark, shall be guilty of the crime of counterfeiting. A person having possession, custody or control of more than twenty-five items bearing a counterfeit mark shall be presumed to possess said items with intent to sell or distribute.

3. Counterfeiting shall be a class A misdemeanor, except as provided in subsections 4 and 5 of this section.

4. Counterfeiting shall be a class D felony if:

(1) The defendant has previously been convicted under this section; or

(2) The violation involves more than one hundred but fewer than one thousand items bearing a counterfeit mark or the total retail value of all items bearing, or services identified by, a counterfeit mark is more than one thousand dollars, but less than ten thousand dollars.

5. Counterfeiting shall be a class C felony if:

(1) The defendant has been previously convicted of two or more offenses under this section;

(2) The violation involves the manufacture or production of items bearing counterfeit marks; or

(3) The violation involves one thousand or more items bearing a counterfeit mark or the total retail value of all items bearing, or services identified by, a counterfeit mark is more than ten thousand dollars.

6. For purposes of this section, the quantity or retail value of items or services shall include the aggregate quantity or retail value of all items bearing, or services identified by, every counterfeit mark the defendant manufactures, uses, displays, advertises, distributes, offers for sale, sells or possesses.

7. Any person convicted of counterfeiting shall be fined an amount up to three times the retail value of the items bearing, or services identified by, a counterfeit mark, unless extenuating circumstances are shown by the defendant.

8. The remedies provided for herein shall be cumulative to the other civil remedies provided by law.

9. Any state or federal certificate of registration of any intellectual property shall be prima facie evidence of the facts stated therein.

570.105. 1. Any items bearing a counterfeit mark, and all personal property, including but not limited to, any items, objects, tools, machines, equipment, instrumentalities or vehicles of any kind, employed or used in connection with a violation of section 570.103 or this section shall be seized by any law enforcement officer. All seized personal property shall be forfeited in accordance with section 513.600, et seq.

2. Upon the request of the intellectual property owner, all seized items bearing a counterfeit mark shall be released to the intellectual property owner for destruction or disposition. If the intellectual property owner does not request release of seized items bearing a counterfeit mark, such items shall be destroyed unless the intellectual property owner consents to another disposition."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted: SCR 43.

Senate Concurrent Resolution No. 43

BE IT RESOLVED by the Senate of the Eighty-ninth General Assembly, Second Regular Session, the House of Representatives concurring therein, that the Missouri Committee on Legislative Research shall prepare and cause to be collated, indexed, printed and bound all acts and resolutions of the Eighty-ninth General Assembly, Second Regular Session, and shall examine the printed copies and compare them with and correct the same by the original rolls, together with an attestation under the hand of the Revisor of Statutes that he has compared the same with the original rolls in his office and has corrected the same thereby; and

BE IT FURTHER RESOLVED that the size and quality of the paper and binding shall be substantially the same as used in prior session laws and the size and style of type shall be determined by the Revisor of Statutes; and

BE IT FURTHER RESOLVED that the Joint Committee on Legislative Research is authorized to print and bind copies

of the acts and resolutions of the Eighty-ninth General Assembly, Second Regular Session, with appropriate indexing; and

BE IT FURTHER RESOLVED that the Revisor of Statutes is authorized to determine the number of copies to be printed.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, April 30, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-second Day, Tuesday, April 28, 1998, page 1316, line 24, by inserting after the word "to", the word "knowingly".

Page 1306, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 1307 and 1308, roll call, by showing Representatives Bartelsmeyer and Hosmer voting "aye" rather than "absent with leave".

Page 1309, roll call, by showing Representatives Bartelsmeyer, Hosmer, Mays (50) and Stokan voting "aye" rather than "absent with leave".

Page 1311, roll call, by showing Representatives Gibbons, Gross, Kelly (27) and Long voting "aye" rather than "absent with leave".

Pages 1313 and 1314, roll call, by showing Representatives Berkstresser, Crawford, Levin and Richardson voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

CORRECTIONAL & STATE INSTITUTIONS

Thursday, April 30, 1998. Side gallery upon adjournment. Executive session.

ETHICS

Thursday, April 30, 1998, 9:45 am. Side gallery. Caucuses.

Conservative Organization for Women-Changes in membership.

HOUSE CALENDAR

Sixty-fourth Day, Thursday, April 30, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

3 HCS HB 1674, HS#2, as amended, pending, - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1124 - Days

3 HS HB 1796, (Budget Fiscal 4-29-98) - Harlan

4 HB 1380 - Kreider

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR SECOND READING

1 SCS SB 522

2 SCS SB 613

3 SCS SB 802

4 SCS SB 813 & 864

5 SS SCS SB 852 & 913

SENATE JOINT RESOLUTION FOR THIRD READING

1 HCS SCS SJR 24, (Budget Fiscal 4-28-98) - Days

SENATE BILLS FOR THIRD READING

1 SS#2 SCS SB 632, HCAs 1 & 2, HSA1 for HA1, HA1, HS, pending, - Lakin

2 SB 945 - Thomason (163)

3 HCS SB 487 - Auer

4 HCS SCS SB 501, E.C., HSA1 for HA1, HA1, HS, pending, - Stoll

5 HCS SCS SB 722 - Auer

6 HCS SB 761 - Skaggs

7 HCS SS SCS SB 675, 483, 490 & 564 - Scheve

8 HCS SS SCS SB 781, (Budget Fiscal 4-23-98) - Stoll

9 HCS SB 787 - Riback Wilson

10 HCS SB 615, (Budget Fiscal 4-27-98) - Treadway

11 HCS SB 827 - Rizzo

12 SB 743 - Hoppe

13 HCS SCS SB 614,696,906,530,912 & 914, (Budget Fiscal 4-27-98) - May (108)

14 HCS SB 680 - May (108)

15 HCS SB 936, (Budget Fiscal 4-29-98) - Bray

16 SCS SB 561, HCA 1 - Boucher

17 HCS SS SCS SB 583 & 645, (Budget Fiscal 4-28-98) - Thomason (163)

18 HCS SB 619 - Stoll

19 HCS SB 674 - Riback Wilson

20 HCS SS SB 792 - Liese

21 HCS SCS SB 922, (Budget Fiscal 4-28-98) - Luetkenhaus

HOUSE BILLS WITH SENATE AMENDMENTS

1 HCR 8, SCA 1 - Green

2 HB 1239, SA1, SA2, SA3, SA1 to SSA1 for SA4, SSA1 for SA4, as amended, - Parker

3 HB 1419, SCA 1 - Riback Wilson

4 SCS HB 1779, as amended, - Riback Wilson

BILL CARRYING REQUEST MESSAGES

1 HB 1410, SCA 1 (Req. Sen. Recede/grant conf.) - Luetkenhaus

BILLS IN CONFERENCE

1 SCS HCS HB 1002 - Franklin

2 SCS HCS HB 1003, as amended - Franklin

3 SCS HCS HB 1004, as amended - Franklin

4 SCS HCS HB 1005 - Franklin

5 SCS HCS HB 1006, as amended - Franklin

6 SCS HCS HB 1007, as amended - Franklin

7 SCS HCS HB 1008 - Franklin

8 SCS HCS HB 1009 - Franklin

9 SCS HCS HB 1010, as amended - Franklin

10 SCS HCS HB 1011, as amended - Franklin

11 SCS HCS HB 1012 - Franklin

12 HCS SB 778 - Hoppe

13 HCS SB 809 - Hoppe

HOUSE RESOLUTIONS

1 HR 38, (March 10, 1998, pg. 511) - Williams (121)

2 HR 130, (March 10, 1998, pg. 511) - Gratz

3 HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

COURTESY RESOLUTIONS

1 HR 1002 - Clayton

2 HR 1003 - Seigfreid

3 HR 1004 - Kreider

4 HR 1005 and HR 1006 - Scheve

5 HR 1007 - Davis

6 HR 1008 - Gratz

7 HR 1009 - Bland

8 HR 1010 - Vogel

9 HR 1011 through HR 1013 - Parker

10 HR 1014 - Richardson

11 HR 1015 - Ross

12 HR 1016 - Ostmann

13 HR 1017 - Bauer

14 HR 1018 and HR 1019 - Ostmann

15 HR 1020 - Kasten

16 HR 1021 through HR 1027 - Kelley (47)

17 HR 1028 - Reynolds

18 HR 1029 and HR 1030 - Patek

19 HR 1031 - Harlan

20 HR 1032 - Stokan

21 HR 1033 - Pryor

22 HR 1034 - Shear

23 HR 1035 - Fritts

24 HR 1036 - Fitzwater

25 HR 1037 - Gaw

26 HR 1038 - Foley

27 HR 1039 - Dolan

28 HR 1040 - Farnen

29 HR 1041 - Ross

30 HR 1042 - Secrest

31 HR 1043 and HR 1044 - Merideth

32 HR 1045 - Kelly (27)

33 HR 1046 through HR 1048 - Relford

34 HR 1049 - Stroker

35 HR 1050 though HR 1056 - Griesheimer

36 HR 1057 - Ransdall

37 HR 1058 - Chrismer

38 HR 1059 - Wiggins

39 HR 1060 - Davis (122)

40 HR 1061 - Bray

41 HR 1062 through HR 1101 - Cierpiot

42 HR 1102 through HR 1115 - Levin

43 HR 1116 through HR 1118 - Kelley (47)

44 HR 1119 - DeMarce

45 HR 1120 through HR 1132 - Gross

46 HR 1133 - Overschmidt

47 HR 1134 - Lograsso

48 HR 1135 - Hoppe

49 HR 1136 - Summers

50 HR 1137 - Wiggins

51 HR 1138 - Merideth

52 HR 1139 - Riback Wilson

53 HR 1140 - Patek

54 HR 1141 - Relford

55 HR 1142 - Richardson

56 HR 1143 - Williams (121)

57 HR 1144 - Lawson

58 HR 1145 - Auer

59 HR 1146 - Levin

60 HR 1147 - Green

61 HR 1148 - Leake

62 HR 1149 - Patek

63 HR 1150 - Bennett

64 HR 1151 - Nordwald

65 HR 1152 - Foster

66 HR 1153 - Campbell

67 HR 1154 - Stoll

68 HR 1155, through HR 1157 - Bartelsmeyer

69 HR 1158 - Gratz

70 HR 1159 - Backer

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House Journal

Second Regular Session, 89th General Assembly

SIXTY-FOURTH DAY, Thursday, April 30, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

This has been a busy week, O Lord of Life. In it we have seen Israel celebrate 50 years of statehood; Paula Jones continues to pursue her lawsuit; children have been killed and have killed others; the IRS defends its actions; and Mizzou has a new ladies basketball coach - and, oblivious to it all, the earth You created continues to spin systematically on its axis. That's how life is, God. We struggle and stew over things and often times it's the things that matter the least. Give us insight to know what issues are worth battling and which ones need to be set aside. And help us realize that just because something isn't big on our agenda doesn't make it unimportant to those who care about it. In other words, God - give us perspective and level-headedness.

And now, as these representatives wind down this week, help them face the mistakes they've made with honesty and integrity. Help them celebrate their achievements with humility and thanksgiving. In ALL things, Holy One, may we always acknowledge You as Creator, Sustainer and Sovereign. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chinita Taylor, Shawn Robinson, Tamara Bickley, Frank Bradley, Ruth Schiller, Andrea Travaglini, Alison Bertram, Shannon O'Connor, Lilly Bell, David Bell, Tia Bonnett, Brydon Dale, Arthur Brandt, Ronnie White II, Nick Becher, Libby Klaus, Mark Chisholm, Josh Aylesworth, Andrea Gregory, Katie Pfenning, Aaron Shockley, Justin McLaury, Margaret Baker, Melissa Barnett, Alex Heflin, Allisa Schluter, Sean Householder and Gina Kenny.

The Journal of the sixty-third day was approved as corrected.

RESOLUTIONS

Representative Kreider offered House Resolution No. 1188, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution No. 1189 through House Resolution No. 1201, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Bland, Bonner, Boucher, Campbell, Cierpiot, Cooper, Daniel (42), Daniels (41), Fitzwater, Franklin, Hoppe, Kauffman, Kelley (47), Lakin, Lograsso, Mays (50), McLuckie, Monaco, Pouche, Reinhart, Ridgeway, Rizzo, Skaggs, Thompson (37) and Van Zandt offered House Resolution No. 1202, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution No. 1203, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Koller offered House Resolution No. 1204, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marble offered House Resolution No. 1205, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crump offered House Resolution No. 1206, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 1207, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Kelly (27) offered House Concurrent Resolution No. 28.

SECOND READING OF SENATE BILLS

SCS SB 522, SCS SB 613, SCS SB 802, SCS SBs 813 & 864 and **SS SCS SBs 852 & 913** were read the second time.

COURTESY RESOLUTIONS

House Resolution No. 1002 through **House Resolution No. 1159** were taken up by Representative Backer.

On motion of Representative Backer, **House Resolution No. 1002** through **House Resolution No. 1159** were adopted.

Speaker Gaw assumed the Chair.

THIRD READING OF HOUSE BILL

HB 1380, relating to building regulations, was taken up by Representative Kreider.

On motion of Representative Kreider, **HB 1380** was read the third time and passed by the following vote:

AYES: 127

Alter Auer Backer Barry 100 Bartlett

Bauer Bennett Berkstresser Bland Bonner

Boucher Bray 84 Broach Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Dougherty Edwards-Pavia

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Harlan Hartzler 123

Hartzler 124 Heckemeyer Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus May 108 Mays 50

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Pouche

Pryor Ransdall Relford Reynolds Richardson

Rizzo Robirds Ross Scheve Schilling

Schwab Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Stokan Stoll

Stroker Thomason 163 Thompson 72 Treadway Troupe

Van Zandt Vogel Wannenmacher Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 025

Ballard Barnett Bartelsmeyer Boatright Burton

Crawford Elliott Gaskill Gaston Hall

Hegeman Howerton Klindt Lograsso Marble

Patek Purgason Reinhart Ridgeway Sallee

Scott Steen Summers Surface Townley

PRESENT: 000

ABSENT WITH LEAVE: 010

Akin Copeland Donovan Hagan-Harrell Hohulin

McBride Shear Thompson 37 Wiggins Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Parker, title to the bill was agreed to.

Representative Stroker moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILLS WITH SENATE AMENDMENTS

HB 1239, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 1 to Senate Substitute Amendment No. 1 for Senate Amendment No. 4 and **Senate Substitute Amendment No. 1 for Senate Amendment No. 4, as amended**, relating to victims of crime, was taken up by Representative Parker.

Representative Parker moved that the House refuse to concur in **Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 1 to Senate Substitute Amendment No. 1 for Senate Amendment No. 4**, and **Senate Substitute Amendment No. 1 for Senate Amendment No. 4, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HCR 8, with Senate Committee Amendment No. 1, relating to Harry S Truman Tribute Commission, was taken up by Representative Green.

On motion of Representative Green, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Farnen

Fitzwater Foley Ford Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Purgason Ransdall Reinhart Relford Reynolds
Richardson Rizzo Robirds Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 006

Boatright Foster Lograsso Pryor Ridgeway
Ross

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland Evans Hagan-Harrell Hohulin Shear
Sheldon 104 Shelton 57 Thompson 37

VACANCIES: 001

On motion of Representative Green, **HCR 8, as amended,** was adopted and passed by the following vote:

AYES: 146

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartlett Bauer Bennett
Berkstresser Bland Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hickey Hilgemann Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Summers Surface Thomason 163 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 006

Boatright Foster Hall Pryor Purgason

Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer Cooper Franklin Hendrickson Hohulin

Kelley 47 Sallee Shear Stroker Thompson 37

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Koller, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Carter moved that motion lay on the table.

The latter motion prevailed.

HB 1419, with Senate Committee Amendment No. 1, relating to blood tests, was taken up by Representative Riback Wilson.

On motion of Representative Riback Wilson, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Fritts Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 001

Cooper

PRESENT: 000

ABSENT WITH LEAVE: 008

Franklin Froelker Hagan-Harrell Hall Murphy

Reynolds Shear Thompson 37

VACANCIES: 001

On motion of Representative Riback Wilson, **HB 1419, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Liese Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Broach Hoppe Kennedy Levin Linton
Scheve Shear Thompson 37

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative DeMarce moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1779, as amended, relating to rape, was taken up by Representative Riback Wilson.

On motion of Representative Riback Wilson, **SCS HB 1779, as amended,** was adopted by the following vote:

AYES: 149

Alter Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Cierpiot Clayton Cooper Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hickey Hilgemann Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stoll Stroker Summers Surface

Thomason 163 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 008

Akin Chrismer Edwards-Pavia Froelker Hall

Hegeman Hendrickson Pryor

PRESENT: 000

ABSENT WITH LEAVE: 005

Hohulin Lograsso Shear Stokan Thompson 37

VACANCIES: 001

On motion of Representative Riback Wilson, **SCS HB 1779, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stoll Stroker Summers Surface
Thomason 163 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Boatright Cierpiot Hohulin Legan Ridgeway
Shear Stokan Thompson 37

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

SS#2 SCS SB 632, with House Committee Amendment Nos. 1 & 2, House Substitute Amendment No. 1 for House Amendment No. 1, House Amendment No. 1 and **HS, pending**, relating to health care coverage for children, was again taken up by Representative Lakin.

Representative Scheve assumed the Chair.

Speaker Gaw resumed the Chair.

On motion of Representative Kelly (27), House Substitute Amendment No. 1 for House Amendment No. 1 was adopted by the following vote:

AYES: 081

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Clayton Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Farnen Fitzwater Foley Franklin

Fritts Graham 24 Gratz Green Gunn

Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann

Hollingsworth Hoppe Hosmer Johnson Kelly 27

Kennedy Koller Kreider Lakin Lawson

Leake Liese Luetkenhaus May 108 Mays 50

McBride McLuckie Monaco Murray O'Connor

O'Toole Overschmidt Parker Ransdall Relford

Reynolds Rizzo Scheve Schilling Seigfreid

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Thomason 163 Thompson 72 Treadway Troupe

Van Zandt Wiggins Williams 121 Williams 159 Wilson

Mr. Speaker

NOES: 077

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Bonner Broach

Burton Champion Chrismer Cierpiot Cooper

Crawford Dolan Edwards-Pavia Elliott Enz

Evans Foster Froelker Gaskill Gaston

Gibbons Graham 106 Griesheimer Gross Hall

Hartzler 123 Hartzler 124 Hegeman Hendrickson Hohulin

Holand Howerton Kasten Kauffman Kelley 47

Klindt Legan Levin Linton Lograsso

Long Loudon Marble McClelland Merideth

Miller Murphy Naeger Nordwald Ostmann

Patek Pouche Pryor Purgason Reinhart

Richardson Ridgeway Robirds Ross Sallee

Schwab Scott Secrest Sheldon 104 Shields

Steen Summers Surface Townley Vogel

Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 004

Ford Kissell Shear Thompson 37

VACANCIES: 001

Representative Lograsso requested a verification of the roll call on the adoption of House Substitute Amendment No. 1 for House Amendment No. 1.

Representative Carter offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, Page 4, Section 208.185, Line 11 of said page, by inserting at the end of said line the following: "**The five-dollar copayment provided for in this section shall be waived for good cause, which includes, but is not limited to, the inability of the parent or guardian to afford such copayment.**".

Representative Smith assumed the Chair.

Representative Shields offered House Substitute Amendment No. 1 for House Amendment

No. 2.

House Substitute Amendment No. 1

for

House Amendment No. 2

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, Page 4, Section 208.185, Line 11 of said page, by inserting at the end of said line the following: "**The five-dollar copayment provided for in this section shall be waived for good cause, which includes, but is not limited to, the inability of the parent or guardian to afford such copayment. If the copayment is waived the payment shall be the responsibility of the state of Missouri.**".

Representative Carter requested that House Amendment No. 2 be withdrawn.

Representative Shields raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 2 is currently before the House, therefore the request to withdraw House Amendment No. 2 is out of order.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Shields, House Substitute Amendment No. 1 for House Amendment No. 2 was adopted.

Representative Marble requested that SS#2 SCS SB 632, with House Committee Amendment Nos. 1 & 2 and HS, as amended, pending, be referred to the Budget Committe due to the fiscal impact.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order untimely.

Representative Holand offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, Page 3, Section 4, Lines 4 - 5, by deleting on Line 4 [annually] and on Line 5 [inoculations] and [an annual]; and

further amend by inserting on line 4, "upon request" and on line 5, "immunizations" and "periodic".

On motion of Representative Holand, House Amendment No. 3 was adopted.

Speaker Gaw resumed the Chair.

Representative Gibbons offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, Page 2, Section 208.185, Line 1, by adding after the word "effect" the following: "before July 1, 1999 or".

Representative Gibbons moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 074

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Crawford

Dolan Elliott Enz Evans Ford

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Griesheimer Gross Hall Hartzler 123

Hartzler 124 Hegeman Hendrickson Hohulin Holand

Howerton Kasten Kauffman Kelley 47 Klindt

Legan Levin Linton Lograsso Long

Loudon Marble McClelland Merideth Miller

Murphy Naeger Ostmann Patek Pouche

Pryor Purgason Reinhart Richardson Ridgeway

Robirds Ross Sallee Schwab Scott

Secrest Sheldon 104 Shields Steen Summers

Townley Vogel Wannenmacher Wooten

NOES: 081

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Clayton Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Farnen Fitzwater Foley Franklin

Fritts Graham 24 Gratz Green Hagan-Harrell

Harlan Heckemeyer Hickey Hilgemann Hollingsworth

Hoppe Hosmer Johnson Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Liese Luetkenhaus May 108 Mays 50

McBride McLuckie Monaco Murray O'Connor

O'Toole Overschmidt Parker Ransdall Relford

Reynolds Rizzo Scheve Schilling Seigfreid

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Thomason 163 Thompson 72 Treadway Troupe

Van Zandt Wiggins Williams 121 Williams 159 Wilson

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Bonner Edwards-Pavia Gunn Nordwald Shear

Surface Thompson 37

VACANCIES: 001

Representative Purgason offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, Page 7, Section 208.185, Line 11 of said page, by inserting after all of said line the following:

"12. For every one hundred cases added in a district as a result of the program established pursuant to section 208.185, the department of social services shall transfer one full-time employee into such district to handle the additional caseload.".

Representative Purgason moved that House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 072

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Champion

Chrismer Cierpiot Cooper Crawford Dolan

Edwards-Pavia Elliott Enz Evans Ford

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Griesheimer Gross Hartzler 123 Hartzler 124

Hegeman Hendrickson Hohulin Holand Howerton

Kasten Kauffman Kelley 47 Klindt Legan

Levin Linton Lograsso Long Loudon

Marble McClelland Merideth Miller Murphy

Ostmann Patek Pouche Pryor Purgason

Reinhart Richardson Ridgeway Robirds Ross

Sallee Schwab Scott Secrest Sheldon 104

Shields Steen Summers Townley Vogel

Wannenmacher Williams 159

NOES: 079

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Clayton Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Farnen Fitzwater Foley Franklin

Fritts Graham 24 Gratz Hagan-Harrell Harlan

Heckemeyer Hickey Hilgemann Hollingsworth Hoppe

Hosmer Johnson Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Liese Luetkenhaus May 108 Mays 50 McBride

McLuckie Monaco Murray O'Connor O'Toole

Overschmidt Parker Ransdall Relford Reynolds

Rizzo Scheve Schilling Seigfreid Shelton 57

Skaggs Smith Stokan Stoll Stroker

Thomason 163 Thompson 72 Treadway Troupe Van Zandt

Williams 121 Wilson Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 011

Bonner Burton Green Gunn Hall

Naeger Nordwald Shear Surface Thompson 37

Wiggins

VACANCIES: 001

SS#2 SCS SB 632, with House Committee Amendment Nos. 1 & 2 and HS, as amended, pending, was laid over.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 927, entitled:

An act to repeal section 36.150, RSMo 1994, and section 105.473, RSMo Supp. 1997, relating to certain political activities, and to enact in lieu thereof six new sections relating to the same subejct, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2, Senate Amendment No. 2 to Senate Amendment No. 2, Senate Amendment No. 2, as amended, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 15, Senate Amendment No. 16.

In which the concurrence of the House is respectfully requested.

Senate Amendment No. 1

AMEND Senate committee Substitute for House Bill No. 927, Page 1, Section A, Line 3, by deleting the number "105.155, 105.156, 105.157, 105.158" and inserting in lieu thereof the following: "36.152, 36.155, 36.157, 36.159"; and

Further amend said bill, Page 2, Section 105.155, Line 1, by deleting all of said line and inserting in lieu thereof the following: "36.152. for the purposes of sections 36.152 to 36.159, the following terms"; and

Further amend said bill, Page 2, Section 105.156, Line 1, by deleting the number "105.156." and inserting in lieu thereof the number "36.155."; and

Further amend said bill, Page 3, Section 105.157, Line 1, by deleting the number "105.157." and inserting in lieu thereof the number "36.157."; and

Further amend said bill, Page 3, Section 105.158, Line 1, by deleting the number "105.158." and inserting in lieu thereof the number "36.159.".

Senate Amendment No. 1

to

Senate Amendment No. 2

AMEND Senate Amendment No. 2 to Senate Committee Substitute for House Bill No. 927, Page 1, Section 1, Line 2, by inserting after "official" on said line: ", including the Joint Committee on Legislative Research and the Oversight Division".

Senate Amendment No. 2

to

Senate Amendment No. 2

AMEND Senate Amendment No. 2 to Senate Committee Substitute for House Bill No. 927, Page 1, Section 1, Line 5 of said amendment, by inserting immediately after the word "senator" the following: "while off duty, on annual leave or with permission of their supervisor".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 927, Page 6, Section 105.473, Line 107, by inserting immediately after said line the following:

"Section 1. No state agency and no state official shall, by agency policy, executive order, ethics codes or any other means, prohibit any state employee from communicating with his or her state representative or state senator, nor shall such agency or official require any such employee to provide any record or other information regarding any communications with his or her state representative or state senator, except when such communications are directly related to the primary employment duties of such employee."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Bill No. 927, Page 3, Section 105.157, Line 3, by inserting after all of said line the following:

"(3) By utilizing any state resources or facilities;"; and

Further renumber the remaining subdivisions accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Bill No. 927, Page 3, Section 105.158, Line 9, by adding immediately after the word "imprisonment." on said line the following: "Any person convicted of a violation of this section shall lose their position in the agency.".

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Bill No. 927, Page 3, Section 105.157, Line 2, by inserting after all of said line the following:

"(2) During normal working hours, regardless of whether the employee is on duty;"; and further renumber the remaining subdivisions accordingly.

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Bill No. 927, Page 2, Section 105.155, Line 4, by striking the words "an appointive position" and inserting in lieu thereof the following: "a position subject to the provisions of chapter 36, RSMo"; and

Further amend said bill, page 3, section 105.156, line 7, by striking the following: ", except on a voluntary basis".

Senate Amendment No. 8

AMEND Senate Committee Substitute for House Bill No. 927, Page 2, Section 105.155, Line 7, by inserting after "RSMo" the following: ";

(4) "Political activity", any activity in support of or opposition to a political party, candidate, ballot measure, or committee as defined in section 103.011, RSMo. For the purposes of this act, political activity shall include the publishing, circulation or distribution of any printed matter as defined in subsection 8 of section 130.031; however, it shall not be construed to be a political activity to display a political sign on any private motor vehicle or at any private residence"; and

Further amend said bill, page 2, section 105.156, line 3, by striking the word "may" and inserting in lieu thereof the word "shall"; and

Further amend said bill, Page 3, Section 105.157, Line 1, by striking the word "may" and inserting in lieu thereof the word "shall"; and further amend line 5, by striking the word "or"; and further amend line 7, by inserting after "state" the following: ";

(5) When using any privately owned vehicle while receiving compensation for mileage by the state or any agency or instrumentality of the state".

Senate Amendment No. 10

AMEND Senate Committee Substitute for House Bill No. 927, Page 3, Section 105.155, Line 9, by deleting the word "; or" and adding the following: "unless he or she takes a leave of absence at least sixty days prior to the election"; and

Further amend said bill, page 2, section 105.155, line 5, by adding the following "or any public higher education institution located in the State of Missouri.".

Senate Amendment No. 11

AMEND Senate Committee Substitute for House Bill No. 927, Page 3, Section 105.158, Line 9, by adding after the period on said line the following: "Any person who makes a false accusation against another individual concerning an action punishable under this section shall be subject to the same penalty as would apply to the person subject to the false accusation.".

Senate Amendment No. 12

AMEND Senate Committee Substitute for House Bill No. 927, Page 3, Section 105.158, Line 5, by inserting behind the period on line 5 the words: "No employee of this state shall discriminate against, discipline, or otherwise create a preference for or against any employee subject to such persons authority as a consequence of such employee's political belief or expression of such belief.".

Senate Amendment No. 13

AMEND Senate Committee Substitute for House Bill No. 927, Page 2, Section 105.156, Line 5, by striking the following: "or affecting".

Senate Amendment No. 15

AMEND Senate Committee Substitute for House Bill No. 927, Page 3, Section 105.158, Line 9, by inserting immediately after said line the following:

"105.470. [As used in section 105.473, unless the context requires otherwise,] Unless otherwise defined in this chapter, the following words and terms mean:

(1) "Executive lobbyist", any natural person who acts for the purpose of attempting to influence any action by the executive branch of government or by any elected or appointed official, employee, department, division, agency or board or commission thereof and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment on behalf of or for the benefit of such person's employer; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the executive branch of state government in connection with such activity. An "executive lobbyist" shall not include a member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

a. Appearing or inquiring in regard to a complaint, citation, summons, adversary proceeding, or contested case before a state board, commission, department, division or agency of the executive branch of government or any elected or appointed officer or employee thereof;

b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return, any public document, permit or contract, any application for any permit or license or certificate, or any document required or requested to be filed with the state or a political subdivision;

c. Selling of goods or services to be paid for by public funds, provided that such person is attempting to influence only the person authorized to authorize or enter into a contract to purchase the goods or services being offered for sale;

d. Participating in public hearings or public proceedings on rules, grants, or other matters;

e. Responding to any request for information made by any public official or employee of the executive branch of government;

f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;

g. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee; or

h. Testifying as a witness before a state board, commission or agency of the executive branch;

(2) "Expenditure", any payment made or charge, expense, cost, debt or bill incurred; any gift[, honorarium] or item of value bestowed including any food or beverage; any price, charge or fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt which is canceled, reduced or otherwise forgiven; the transfer of any item with a reasonably discernible cost or fair market value from one person to another or provision of any service or granting of any opportunity for which a charge is customarily made, without charge or for a reduced charge; except that the term "expenditure" shall not include the following:

(a) Any item, service or thing of value transferred to any person within the third degree of consanguinity of the transferor which is unrelated to any activity of the transferor as a lobbyist;

(b) Informational material such as books, reports, pamphlets, calendars or periodicals informing a public official regarding such person's official duties, or souvenirs or mementos valued at less than ten dollars;

(c) Contributions to the public official's campaign committee or candidate committee which are reported pursuant to the provisions of chapter 130, RSMo;

(d) Any loan made or other credit accommodations granted or other payments made by any person or entity which extends credit or makes loan accommodations or such payments in the regular ordinary scope and course of business, provided that such are extended, made or granted in the ordinary course of such person's or entity's business to persons who are not public officials;

(e) Any item, service or thing of de minimis value offered to the general public, whether or not the recipient is a public official or a staff member, employee, spouse or dependent child of a public official, and only if the grant of the item, service or thing of de minimis value is not motivated in any way by the recipient's status as a public official or staff member, employee, spouse or dependent child of a public official;

(f) The transfer of any item, provision of any service or granting of any opportunity with a reasonably discernible cost or fair market value when such item, service or opportunity is necessary for a public official or employee

to perform his or her duty in his or her official capacity, including but not limited to entrance fees to any sporting event, museum, or other venue when the official or employee is participating in a ceremony, public presentation or official meeting therein;

(g) Any payment, gift, compensation, fee, expenditure or anything of value which is bestowed upon or given to any public official or a staff member, employee, spouse or dependent child of a public official when it is compensation for employment or given as an employment benefit and when such employment is in addition to their employment as a public official;

(3) "Honorarium", includes any payment of money or anything of value for an appearance, speech, article or any other purpose which does not constitute compensation or a fee for services rendered; honorarium does not include any actual and necessary expenses incurred in making an appearance or speech or in writing an article or article of nominal value;

[(3)] (4) "Judicial lobbyist", any natural person who acts for the purpose of attempting to influence any purchasing decision by the judicial branch of government or by any elected or appointed official or any employee thereof and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment which primary purpose is to influence the judiciary in its purchasing decisions on a regular basis on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation or association; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the judicial branch of state government in connection with attempting to influence such purchasing decisions by the judiciary. A "judicial lobbyist" shall not include a member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

a. Appearing or inquiring in regard to a complaint, citation, summons, adversary proceeding, or contested case before a state court;

b. Participating in public hearings or public proceedings on rules, grants, or other matters;

c. Responding to any request for information made by any judge or employee of the judicial branch of government;

d. Preparing, distributing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic; or

e. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee;

[(4)] (5) "Legislative lobbyist", any natural person who acts for the purpose of attempting to influence the taking, passage, amendment, delay or defeat of any official action on any bill, resolution, amendment, nomination, appointment, report or any other action or any other matter pending or proposed in a legislative committee in either house of the general assembly, or in any matter which may be the subject of action by the general assembly and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment, which primary purpose is to influence legislation on a regular basis, on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the legislative branch of state government in connection with such activity. A "legislative lobbyist" shall include an attorney at law engaged in activities on behalf of any person unless excluded by any of the following exceptions. A "legislative lobbyist" shall not include any member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

a. Responding to any request for information made by any public official or employee of the legislative branch

of government;

b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;

c. Acting within the scope of employment of the legislative branch of government when acting with respect to the general assembly or any member thereof;

d. Testifying as a witness before the general assembly or any committee thereof;

[(5)] (6) "Lobbyist", any natural person defined as an executive lobbyist, judicial lobbyist or a legislative lobbyist;

[(6)] (7) "Lobbyist principal", any person, business entity, governmental entity, religious organization, nonprofit corporation or association who employs, contracts for pay or otherwise compensates a lobbyist;

[(7)] (8) "Public official", any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any agency head, department director or division director of state government or any member of any state board or commission and any [designated] decision-making public servant designated by persons described in this subdivision."; and

Further amend said bill, page 4, Section 105.473, line 32, by striking the following: "honoraria;"; and

Further amend said bill and section, page 5, line 67, by inserting immediately after said line the following:

"5. Lobbyists and lobbyist principals shall not provide admission to sporting events which occur outside the state.

6. No lobbyist or lobbyist principal shall offer an honorarium to a public official and no public official shall knowingly accept an honorarium from a lobbyist or lobbyist principal."; and further amend said section, by renumbering the remaining subsections accordingly; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 16

AMEND Senate Committee Substitute for House Bill No. 927, Page 6, Section 105.473, Line 107, by inserting immediately after all of said line the following:

"Section 1. 1. No state agency shall release the personal information of any state employee without the consent of the employee. As used in this section, personal information shall mean the home address and home phone number of the employee.

2. This section shall not apply to the following:

(1) Any release necessary to comply with any federal law or any specific state law;

(2) Releases for authorized use by any federal agency, state agency, court of law or law enforcement agency; and

(3) Motor vehicle and driver's license information subject to sections 32.090 and 32.091, RSMo."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

MOTION

SCS HB 927, as amended, relating to political activities by state employees, was taken up by Representative Hosmer.

Representative Hosmer moved that the House refuse to adopt SCS HB 927, as amended, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 28 - Education - Elementary and Secondary

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCR 39 - Miscellaneous Bills and Resolutions

SCR 43 - Miscellaneous Bills and Resolutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 522 - Consumer Protection

SB 566 - Utilities Regulation

SCS SB 613 - Local Government and Related Matters

SCS SB 762 - Insurance

SCS SBs 813 & 864 - Motor Vehicle and Traffic Regulations

SS SCS SBs 852 & 913 - Banks and Financial Institutions

SCS SB 871 - Critical Issues

COMMITTEE REPORTS

Committee on Correctional and State Institutions, Chairman Crump reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred SS SB 478, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Education - Elementary and Secondary, Chairman Stoll reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred SB 780, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred a change to THE CONSERVATIVE ORGANIZATION FOR WOMEN CAUCUS, begs leave to report it has examined the same and approves it pursuant to 105.470 (2) (c) d.

April 21, 1998

Mr. Robert Clayton

Chairman, Ethics Committee

Dear Rep. Clayton:

This letter is to notify you of changes of membership of the Conservative Organization for Women.

Please remove Rep. Mary Lou Sallee from the list and add the following new members:

/s/ Rep. Matt Boatright

/s/ Rep. Rex Barnett

/s/ Rep. Dennis Bonner

/s/ Rep. David Broach

/s/ Rep. Vicky Hartzler

/s/ Rep. Carl Hendrickson

/s/ Rep. Pat Kelley

/s/ Rep. John Loudon

/s/ Rep. Patrick O'Connor

/s/ Rep. Chuck Purgason

/s/ Rep. Dave Reynolds

/s/ Rep. David Klindt

Thank you for your assistance.

Sincerely,

/s/ Luann Ridgeway

Mr. Speaker: Your Committee on Ethics, to which was referred a change to THE CONSERVATIVE ORGANIZATION FOR WOMEN CAUCUS, begs leave to report it has examined the same and approves it pursuant to 105.470 (2) (c) d.

April 23, 1998

Honorable Robert M. Clayton, III

State Capitol

Room 114-A

Jefferson City, MO 65101

Dear Representative Clayton:

I respectfully request that my name be removed from the Conservative Organization for Women (COW) Caucus.

Thank you,

/s/ Mary Lou Sallee

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1586.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SA 1, SA 2, SA 3, and SSA 1 for SA 4, as amended, to HB 1239 and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Caskey, Mathewson, DePasco, Sims and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCA 1 to HB 1410 , and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SB 550, and has taken up and passed HCS SB 550.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCA 1 to SB 553, and has taken up and passed SB 553, as amended.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SB 579, and has taken up and passed HCS SB 579.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SCS SB 634, and has taken up and passed HCS SCS SB 634.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SB 676, and has taken up and passed HCS SB 676.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SS SB 724, as amended, and has taken up and passed HCS SS SB 724, as amended.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SCS SB 732, and has taken up and passed HCS SCS SB 732.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCA 1 to SB 733, and has taken up and passed SB 733, as amended.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in HCS SB 739 , and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 745, entitled:

An act to repeal sections 160.545, 161.097, 173.005 and 173.210, RSMo 1994, relating to higher education, and to enact in lieu thereof seven new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

APPOINTMENT OF CONFEREES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HB 1239: Representatives Parker, Hosmer, Monaco, Dolan and Richardson

HB 1410: Representatives Luetkenhaus, Kissell, Graham (24), Ross and Elliott

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 2:30 p.m., Monday, April 4, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-third Day, Wednesday, April 29, 1998, page 1334, roll call, by showing Representative Shields voting "aye" rather than "absent with leave".

Page 1344, roll call, by showing Representative Riback Wilson voting "no" rather than "aye".

Page 1335, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 1335 and 1336, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Pages 1337 and 1338, roll call, by showing Representative Crawford voting "aye" rather than "absent with leave".

Pages 1338 and 1339, roll call, by showing Representatives Froelker and Kreider voting "aye" rather than "absent with leave".

Pages 1341 and 1342, roll call, by showing Representatives Campbell and Dolan voting "aye" rather than "absent with leave".

Page 1342, roll call, by showing Representatives Champion and Hollingsworth voting "aye" rather than "absent with leave".

Page 1343, roll call, by showing Representative Secrest voting "no" rather than "absent with leave".

Page 1343, roll call, by showing Representative Relford voting "aye" rather than "absent with leave".

Page 1344, roll call, by showing Representative Monaco voting "aye" rather than "no".

Pages 1345 and 1346, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Pages 1348 and 1349, roll call, by showing Representatives Barnett, Bennett, Fritts, Hosmer and Kreider voting "aye" rather than "absent with leave".

Pages 1354 and 1355, roll call, by showing Representatives Bartelsmeyer, Hosmer, Kelly (27), Kreider and Richardson voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Monday, May 4, 1998, 1:30 pm. Hearing Room 8. Executive session.

To be considered - SB 852

BUDGET

Monday, May 4, 1998, 1:30 pm. Hearing Room 9. Possible executive session on bills in budget.

To be considered - HB 1796, SB 615, SB 614, SJR 24, SB 583, SB 936

CRITICAL ISSUES

Monday, May 4, 1998, 8:00 pm. Hearing Room 6.

To be considered - Executive Session - HCR 17, SB 871, Executive Session - SB 523, Executive Session - SCR 37

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY & PLANNING

Monday, May 4, 1998, 1:00 pm. Senate Committee Room 1 (118).

Dept. of Economic Development on Enterprise Zones

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY & PLANNING

Monday, May 11, 1998, 1:00 pm. Senate Committee Room #1 (118).

Dept. of Economic Development on Sister Cities.

JOINT COMMITTEE ON GAMING AND WAGERING

Tuesday, May 5, 1998, 9:00 am. Hearing Room 7. Lewis Ullery, Gubernatorial appointee to the Gaming Commission.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 4, 1998, 1:00 pm. Hearing Room 6. Quarterly meeting and assignment of Oversight interim work.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Monday, May 4, 1998, 1:30 pm. Hearing Room 7.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Monday, May 4, 1998, 12:30 pm. Hearing Room 5. Executive session may follow.

To be considered - SB 813

UTILITIES REGULATION

Monday, May 4, 1998, 2:00 pm. Hearing Room 1. Executive session to follow.

To be considered - SB 566

HOUSE CALENDAR

Sixty-fifth Day, Monday, May 4, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

3 HCS HB 1674, HS#2, as amended, pending, - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1124 - Days

3 HS HB 1796, (Budget Fiscal 4-29-98) - Harlan

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, - DeMarce - (CONSENT)

SENATE BILL FOR SECOND READING

1 SB 745

SENATE JOINT RESOLUTION FOR THIRD READING

1 HCS SCS SJR 24, (Budget Fiscal 4-28-98) - Days

SENATE BILLS FOR THIRD READING

1 SS#2 SCS SB 632, HCAs 1 & 2, HS, as amended, pending - Lakin

2 SB 945 - Thomason (163)

3 HCS SB 487 - Auer

4 HCS SCS SB 501, E.C., HSA1 for HA1, HA1, HS, pending, - Stoll

5 HCS SCS SB 722 - Auer

6 HCS SB 761 - Skaggs

7 HCS SS SCS SB 675, 483, 490 & 564 - Scheve

8 HCS SS SCS SB 781, (Budget Fiscal 4-23-98) - Stoll

9 HCS SB 787 - Riback Wilson

10 HCS SB 615, (Budget Fiscal 4-27-98) - Treadway

11 HCS SB 827 - Rizzo

12 SB 743 - Hoppe

13 HCS SCS SB 614,696,906,530,912 & 914, (Budget Fiscal 4-27-98) - May (108)

14 HCS SB 680 - May (108)

15 HCS SB 936, (Budget Fiscal 4-29-98) - Bray

16 SCS SB 561, HCA 1 - Boucher

17 HCS SS SCS SB 583 & 645, (Budget Fiscal 4-28-98) - Thomason (163)

18 HCS SB 619 - Stoll

19 HCS SB 674 - Riback Wilson

20 HCS SS SB 792 - Liese

21 HCS SCS SB 922, (Budget Fiscal 4-28-98) - Luetkenhaus

BILLS CARRYING REQUEST MESSAGES

1 HCS SB 739, (Reg. House Recede/grant conference) - Stoll

2 SCS HB 927, a.a. (Reg. Senate Recede/grant conf.) - Hosmer

BILLS IN CONFERENCE

1 SCS HCS HB 1002 - Franklin

2 SCS HCS HB 1003, as amended - Franklin

3 SCS HCS HB 1004, as amended - Franklin

4 SCS HCS HB 1005 - Franklin

5 SCS HCS HB 1006, as amended - Franklin

6 SCS HCS HB 1007, as amended - Franklin

7 SCS HCS HB 1008 - Franklin

8 SCS HCS HB 1009 - Franklin

9 SCS HCS HB 1010, as amended - Franklin

10 SCS HCS HB 1011, as amended - Franklin

11 SCS HCS HB 1012 - Franklin

12 HCS SB 778 - Hoppe

13 HCS SB 809 - Hoppe

14 HB 1410, as amended - Luetkenhaus

15 HB 1239, as amended - Parker

HOUSE RESOLUTIONS

1 HR 38, (March 10, 1998, pg. 511) - Williams (121)

2 HR 130, (March 10, 1998, pg. 511) - Gratz

3 HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford



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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

SIXTY-FIFTH DAY, Monday, May 4, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"You shall not give false evidence against your neighbor." (Ex. 20:16)

You have probably seen the sign that advises us to call "Call Before You Dig," advice from the utility companies to avoid disrupting telephone and power lines.

I thought of that sign and re-worded it, "Dig Before You Call," and applied it to all of our personal, official and media communications.

Gracious God, You who are all just and have shared Your own loving kindness, Your *hesed,* with us, slow us down a bit when we are quick to call before we dig, dig out the facts, the context, the circumstances, before we tell the story, broadcast the accusation or attack an opponent. In the case of public information, please make us aware that most people do not have the time, or interest in anything more than the headlines and so cannot make any judgment about a story. Leaks from interested parties often pass for news and so reputations are shredded and half truths hang out there for a long time waiting for the "rest of the story." Guide us also to "dig before we call" in our personal and family communications, so that life may be more gentle and less stressful for all who can rely on us for being fair, truthful and prudent. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Richelle Stock, Christopher Wray, Elizabeth Skeens, Matt Couch, Britney Waters, Courteney Wingo, Jasma Jones, Ariel Bell, Elizabeth Olsson and Kevin Olsson.

The Journal of the sixty-fourth day was approved as corrected.

Representative Fitzwater offered House Resolution No. 1208, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Chrismer offered House Resolution No. 1209, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wiggins offered House Resolution No. 1210 and House Resolution No. 1211, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 1212, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Patek offered House Resolution No. 1213, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Graham (106) offered House Resolution No. 1214, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Thompson (72) offered House Resolution No. 1215, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Graham (24) offered House Resolution No. 1216 and House Resolution No. 1217, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Copeland offered House Resolution No. 1218, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1219, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Dolan offered House Resolution No. 1220, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Klindt offered House Resolution No. 1221, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Parker offered House Resolution No. 1222, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Liese and Leake offered House Resolution No. 1223, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hollingsworth offered House Resolution No. 1224 and House Resolution No. 1225, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Summers offered House Resolution No. 1226 and House Resolution No. 1227, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Johnson offered House Resolution No. 1228, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hollingsworth offered House Resolution No. 1229, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1230, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Leake offered House Resolution No. 1231, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Naeger offered House Resolution No. 1232, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 1233 and House Resolution No. 1234, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 1235, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 1236 through House Resolution No. 1241, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 1242 and House Resolution No. 1243, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Merideth offered House Resolution No. 1244 and House Resolution No. 1245, which were referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Barnett offered House Concurrent Resolution No. 29.

SECOND READING OF SENATE BILL

SB 745 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 898, HB 931, HB 1103, HB 1107, SCS HS HCS HB 1323, HB 1419, HB 1508, HB 1511, HB 1586, SCS HB 1596, HB 1609, HB 1730, SCS HB 1734** and **SCS HB 1779**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SCS SJR 24 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HS HB 1796 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SS SCS SBs 583 & 645 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SCS SBs 614, 696, 906, 530, 912 & 914 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SS SCS SB 781 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SB 936 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

THIRD READING OF SENATE BILLS

SB 945, relating to boll weevil eradication, was taken up by Representative Thomason (163).

Representative Leake offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Bill No. 945, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following: "To repeal section 275.350, RSMo 1994, and section 263.527, RSMo Supp. 1997, relating to

commodity assessments, and to enact in lieu thereof two new sections relating to the same subject with an emergency clause for a certain section."; and

Further amend said bill, Page 2, Section 263.527, Line 36, by inserting after all of said line the following:

"Section B. Section 275.350, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 275.350, to read as follows:

275.350. 1. Any fee imposed under the commodity merchandising program shall be collected by the [director] **appropriate commodity council** whether directly from the producers or indirectly from handlers or processors as stipulated by the provision of the commodity merchandising program.

2. If any merchandising fee is unpaid on the date on which the fee was due and payable, a penalty of one percent per month shall apply from and after that date until payment plus the penalty is received by the director. If, after due notice, any person defaults in any payment of the fee or penalties thereon, the amount due [shall] **may** be collected by civil action [in the name of the state of Missouri at the relation of the director], and the person adjudged in default shall pay the costs of the action. The attorney general[, at the request of the director, and] **or**, if requested by the attorney general, the prosecuting attorney of any county, in which a cause of action arose under the provisions for the collection of fees due and unpaid shall institute proper action in the courts of this state for the collection of fees and penalties thereon due and unpaid. The statute of limitation period for the institution of suit for collection shall be one year.

3. All **administrative** fees shall be paid to the state treasurer to be credited to the "Commodity Council Merchandising Fund" which is hereby created. All money credited to the commodity council merchandising fund shall be appropriated by the general assembly for the use and benefit of the commodity councils through the state department of agriculture and specified in the annual appropriations to said state department to be for such purposes[, and when so made shall be by the director of the department of agriculture paid to the treasurer of the council]. The unexpended balance in the commodity council merchandising fund at the end of the annual period shall not be transferred to the ordinary revenue fund of the state treasurer and accordingly shall be exempt from the provisions of section 33.080, RSMo, relating to transfer of funds to the ordinary revenue funds of the state by the treasurer.

4. [At least annually, the director shall submit to the council a statement showing all receipts, refunds and the balance credited to the commodity council merchandising fund.] **The revisions to the Commodity Merchandising Councils Act made by this section and effective on the effective date of this section shall not be deemed to be a major change for purposes of section 275.330.**

5. The director may enter into contracts with appropriate commodity councils, at the request of the commodity councils, to collect, audit and administer checkoff funds and may retain only such fees for the cost of such services, to be deposited into the commodity council merchandising fund.

Section C. Because immediate action is necessary for the public welfare, section B of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section B of this act shall be in full force and effect upon its passage and approval.".

On motion of Representative Leake, House Amendment No. 1 was adopted.

On motion of Representative Thomason (163), **SB 945, as amended,** was read the third time and passed by the following vote:

AYES: 154

Akin Alter Backer Ballard Barnett

Barry 100 Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Ford

PRESENT: 000

ABSENT WITH LEAVE: 007

Auer Bartelsmeyer Bray 84 Crump Foley

Kelley 47 Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Clayton moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw assumed the Chair.

HCS SCS SB 501, with House Substitute Amendment No. 1 for House Amendment No. 1, House Amendment No. 1 and HS, pending, relating to public school retirement systems, was again taken up by Representative Stoll.

On motion of Representative Williams (159), House Substitute Amendment No. 1 for House Amendment No. 1 was adopted by the following vote:

AYES: 083

Auer Backer Barry 100 Bartlett Bauer

Bonner Boucher Bray 84 Campbell Carter

Clayton Cooper Copeland Crump Davis 122

Davis 63 Days DeMarce Donovan Farnen

Fitzwater Foley Franklin Fritts Graham 24

Gratz Green Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hickey Hollingsworth Johnson

Kauffman Kelly 27 Kennedy Kissell Koller

Kreider Lakin Lawson Leake Liese

Luetkenhaus May 108 Mays 50 McBride McLuckie

Merideth Monaco Murray O'Connor O'Toole

Overschmidt Parker Ransdall Relford Reynolds

Rizzo Scheve Schilling Seigfreid Sheldon 104

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 062

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Crawford Dolan

Elliott Enz Foster Froelker Gaston

Gibbons Graham 106 Hall Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Kasten

Kelley 47 Klindt Legan Levin Linton

Lograsso Long Loudon Marble McClelland

Miller Murphy Naeger Ostmann Patek

Pouche Purgason Reinhart Richardson Ridgeway

Robirds Ross Sallee Schwab Scott

Secrest Shields Summers Surface Townley

Vogel Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 017

Bland Daniel 42 Daniels 41 Dougherty Edwards-Pavia

Evans Ford Gaskill Griesheimer Heckemeyer

Hilgemann Hoppe Hosmer Nordwald Pryor

Shear Steen

VACANCIES: 001

Representative Thomason (163) requested a verification of the roll call on the adoption of House Substitute Amendment No. 1 for House Amendment No. 1.

Representative Richardson requested a division of the question on **HS HCS SCS SB 501, as amended**.

Representative Green raised a point of order that a division of the question is dilatory.

The Chair ruled the point of order well taken.

On motion of Representative Stoll, **HS HCS SCS SB 501, as amended,** was adopted.

On motion of Representative Stoll, **HS HCS SCS SB 501, as amended,** was read the third time and passed by the following vote:

AYES: 152

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Purgason Ransdall
Reinhart Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Sheldon 104
Shelton 57 Shields Skaggs Smith Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Townley Troupe Van Zandt
Vogel Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 006

Ballard Hall Legan Pryor Steen
Wannenmacher

PRESENT: 002

Davis 122 Relford

ABSENT WITH LEAVE: 002

Shear Treadway

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Alter Auer Backer Barnett Barry 100
Bartelsmeyer Bartlett Bauer Bennett Berkstresser
Bland Boatright Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Levin Liese

Linton Lograsso Long Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Purgason

Ransdall Reinhart Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Vogel Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 010

Akin Ballard Chrismer Hall Hohulin

Legan Loudon Pryor Townley Wannenmacher

PRESENT: 002

Davis 122 Relford

ABSENT WITH LEAVE: 001

Shear

VACANCIES: 001

On motion of Representative Bonner, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 883, as amended**, and requests the House to recede from its position or, failing to do so, grant the Senate a conference thereon.

MOTION

HCS SB 883, as amended, relating to transportation oversight, was taken up by Representative Koller.

Representative Koller moved that the House refuse to recede from its position on **HCS SB 883, as amended,** and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFEREES

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 883: Representatives Koller, McBride, May (108), Berkstresser and Pryor.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 883, as amended**: Senators Staples, McKenna, DePasco, Sims and Ehlmann.

THIRD READING OF SENATE BILL

SS#2 SCS SB 632, with House Committee Amendment Nos. 1 & 2 and HS, as amended, pending, relating to health care coverage for children, was again taken up by Representative Lakin.

Representative Bartlesmeyer offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, Page 7, Section 208.185, Line 11 of said page, by inserting after all of said line the following:

"**12. State funds appropriated for the program established by this section shall be used only to the extent necessary to meet the requirements for Federal Financial Participation (FFP).**".

Representative Marble offered House Substitute Amendment No. 1 for House Amendment

No. 6.

House Substitute Amendment No. 1

for

House Amendment No. 6

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, Page 7, Section 208.185, Line 11, by adding the following after said line:

"12. No funds used to pay for insurance or for services pursuant to this section may be expended to encourage, counsel, or refer for abortion unless the abortion is done to save the life of the mother or if the unborn child is the result of rape or incest. No funds may be paid pursuant to this section to any person or organization that performs abortions or counsels or refers for abortion unless the abortion is done to save the life of the mother or if the unborn child is the result of rape or incest.".

Representative Monaco raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 6 is not a true substitute amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Marble, House Substitute Amendment No. 1 for House Amendment No. 6 was adopted by the following vote:

AYES: 108

Akin Alter Ballard Barnett Barry 100

Bartelsmeyer Bennett Berkstresser Boatright Bonner

Broach Burton Champion Chrismer Cierpiot

Cooper Copeland Crawford Crump DeMarce

Dolan Donovan Elliott Enz Evans

Farnen Foley Foster Froelker Gaston

Gibbons Graham 106 Gratz Green Griesheimer

Gross Hall Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hickey Hohulin Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kelley 47

Kennedy Kissell Klindt Koller Kreider

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble McBride Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Reynolds

Richardson Ridgeway Robirds Ross Sallee

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Stokan Stoll Summers

Surface Thomason 163 Townley Treadway Vogel

Wannenmacher Williams 159 Wooten

NOES: 037

Auer Backer Bartlett Bauer Bray 84

Campbell Carter Clayton Davis 122 Davis 63

Days Fitzwater Franklin Fritts Graham 24

Hagan-Harrell Harlan Hilgemann Kauffman Kelly 27

Lakin May 108 Mays 50 McClelland McLuckie

Ostmann Relford Scheve Schilling Skaggs

Smith Stroker Troupe Van Zandt Williams 121

Wilson Mr. Speaker

PRESENT: 001

Ford

ABSENT WITH LEAVE: 016

Bland Boucher Daniel 42 Daniels 41 Dougherty

Edwards-Pavia Gaskill Gunn Heckemeyer Hoppe

Rizzo Shear Steen Thompson 37 Thompson 72

Wiggins

VACANCIES: 001

Representative Wannenmacher requested a verification of the roll call on the adoption of House Substitute Amendment No. 1 for House Amendment No. 6.

Representative Gaston offered House Amendment No. 7.

Representative Lakin raised a point of order that House Amendment No. 7 amends previously amended material.

The Chair ruled the point of order well taken.

Representative Shields offered House Amendment No. 7.

Representative Lakin raised a point of order that House Amendment No. 7 amends previously amended material.

Representative Monaco raised an additional point of order that under statutory rules you cannot have two provisions that are inconsistent with one another, therefore House Amendment No. 7 is out of order.

Representative Lakin raised an additional point of order that House Amendment No. 7 is not germane to the bill.

Representative Foley raised an additional point of order that House Amendment No. 7 goes beyond the scope of the bill.

The Chair ruled the points of order well taken.

Representative Ballard offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, Page 6, Section 208.185, Line 2, by adding after said line the following:

"(5) The overall cost of the program to the state of Missouri.".

On motion of Representative Ballard, House Amendment No. 7 was adopted.

Representative Loudon offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, Page 3, Section 208.185, Line 6, by inserting at the end of all of said line the following:

"**This subdivision shall not apply to any child whose parent or legal guardian objects in writing to such wellness programs including inoculations and an annual physical examination because of religious beliefs or medical contraindications.**".

On motion of Representative Loudon, House Amendment No. 8 was adopted by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Thompson 37

ABSENT WITH LEAVE: 004

Harlan Long Shear Thompson 72

VACANCIES: 001

Representative Patek offered House Amendment No. 9.

Representative Lakin raised a point of order that House Amendment No. 9 amends previously amended material.

Representative DeMarce raised an additional point of order that House Amendment No. 9 is dilatory pursuant to Rule 74.

Representative Monaco raised an additional point of order that House Amendment No. 9 goes beyond the scope of the bill and amends previously amended material.

The Chair ruled the points of order well taken.

Representative Gaston offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for Senate Substitute No. 2 for Senate Bill No. 632, Page 3, Section 208.185, Line 6, by adding after the word "examination", the following:

"(6) Demonstrate annually that their total assets are less than one million dollars in total value".

Representative Scheve assumed the Chair.

Representative Monaco offered House Substitute Amendment No. 1 for House Amendment No. 9.

House Substitute Amendment No. 1 for House Amendment No. 9 was withdrawn.

Representative Monaco offered House Substitute Amendment No. 1 for House Amendment No. 9.

House Substitute Amendment No. 1

for

House Amendment No. 9

AMEND House Substitute for Senate Substitute No. 2 for Senate Bill No. 632, Page 3, Section 208.185, Line 6, by adding after the word "examination", the following:

*"**(6) Demonstrate annually that their total net worth does not exceed two hundred fifty thousand dollars ($250,000.00) in total value**".*

Speaker Gaw resumed the Chair.

On motion of Representative Monaco, House Substitute Amendment No. 1 for House Amendment No. 9 was adopted.

Representative Backer moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Clayton Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dougherty

Farnen Fitzwater Foley Ford Franklin

Fritts Graham 24 Gratz Green Gunn

Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann

Hollingsworth Hoppe Hosmer Johnson Kelly 27

Kennedy Kissell Koller Kreider Lakin

Lawson Leake Liese Luetkenhaus May 108

Mays 50 McBride McLuckie Monaco Murray

O'Connor O'Toole Overschmidt Parker Ransdall
Relford Reynolds Rizzo Scheve Schilling
Seigfreid Shelton 57 Skaggs Smith Stokan
Stoll Stroker Thomason 163 Thompson 37 Treadway
Troupe Van Zandt Wiggins Williams 121 Williams 159
Wilson Mr. Speaker

NOES: 076

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Bonner Broach
Burton Champion Chrismer Cierpiot Cooper
Crawford Dolan Donovan Edwards-Pavia Elliott
Enz Evans Foster Froelker Gaston
Gibbons Graham 106 Griesheimer Gross Hall
Hartzler 123 Hartzler 124 Hegeman Hendrickson Hohulin
Holand Howerton Kasten Kauffman Kelley 47
Klindt Legan Levin Linton Lograsso
Long Loudon Marble McClelland Merideth
Miller Murphy Naeger Nordwald Ostmann
Patek Pouche Pryor Purgason Reinhart
Richardson Ridgeway Robirds Ross Sallee
Schwab Scott Secrest Sheldon 104 Shields
Summers Surface Townley Vogel Wannenmacher
Wooten

PRESENT: 000

ABSENT WITH LEAVE: 004

Gaskill Shear Steen Thompson 72

VACANCIES: 001

On motion of Representative Lakin, ***HS SS#2 SCS SB 632, as amended,*** *was adopted by the following vote:*

AYES: 088

Auer Backer Barry 100 Bartlett Bauer
Bland Boucher Bray 84 Campbell Carter
Clayton Cooper Copeland Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Donovan Dougherty Farnen Fitzwater Foley

Franklin Fritts Graham 24 Gratz Green

Gunn Hagan-Harrell Harlan Hartzler 123 Heckemeyer

Hickey Hilgemann Hollingsworth Hoppe Hosmer

Johnson Kauffman Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Liese Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Monaco Murray O'Connor

O'Toole Overschmidt Parker Ransdall Relford

Reynolds Rizzo Scheve Schilling Seigfreid

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Thomason 163 Thompson 37 Treadway Troupe

Van Zandt Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 068

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Bonner Broach

Burton Champion Chrismer Cierpiot Crawford

Dolan Edwards-Pavia Elliott Enz Evans

Ford Foster Froelker Gaskill Gaston

Gibbons Graham 106 Griesheimer Gross Hall

Hartzler 124 Hegeman Hendrickson Hohulin Holand

Howerton Kasten Kelley 47 Klindt Legan

Levin Linton Lograsso Loudon Marble

Merideth Miller Naeger Nordwald Ostmann

Patek Pouche Pryor Purgason Reinhart

Richardson Ridgeway Robirds Sallee Schwab

Scott Secrest Sheldon 104 Shields Summers

Surface Townley Vogel

PRESENT: 000

ABSENT WITH LEAVE: 006

Long Murphy Ross Shear Steen

Thompson 72

VACANCIES: 001

Representative Marble moved that ***HS SS#2 SCS SB 632, as amended,*** *be recommitted to the House Budget Committee.*

Which motion was defeated by the following vote:

AYES: 076

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Burton
Champion Chrismer Cierpiot Cooper Crawford
Dolan Donovan Edwards-Pavia Elliott Enz
Evans Foster Froelker Gaskill Gaston
Gibbons Graham 106 Griesheimer Gross Hall
Hartzler 123 Hartzler 124 Hegeman Hendrickson Hohulin
Holand Howerton Kasten Kauffman Kelley 47
Klindt Legan Levin Linton Lograsso
Long Loudon Marble McClelland Merideth
Miller Murphy Naeger Nordwald Ostmann
Patek Pouche Pryor Purgason Reinhart
Richardson Ridgeway Robirds Ross Sallee
Schwab Scott Secrest Sheldon 104 Shields
Summers Surface Townley Vogel Wannenmacher
Wooten

NOES: 081

Auer Backer Barry 100 Bartlett Bauer
Bland Bonner Boucher Bray 84 Campbell
Carter Clayton Copeland Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dougherty Farnen Fitzwater Foley Franklin
Fritts Graham 24 Gratz Green Gunn
Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann
Hollingsworth Hoppe Hosmer Johnson Kelly 27
Kennedy Koller Kreider Lakin Lawson
Leake Liese Luetkenhaus May 108 Mays 50
McBride McLuckie Monaco Murray O'Connor
O'Toole Overschmidt Parker Ransdall Relford
Reynolds Rizzo Scheve Schilling Seigfreid
Shelton 57 Skaggs Smith Stokan Stoll
Stroker Thomason 163 Thompson 37 Treadway Troupe
Van Zandt Wiggins Williams 121 Williams 159 Wilson
Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 005

Ford Kissell Shear Steen Thompson 72

VACANCIES: 001

Representative Backer moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Auer Backer Barry 100 Bartlett Bauer
Bland Boucher Bray 84 Campbell Carter
Clayton Copeland Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dougherty
Farnen Fitzwater Foley Ford Franklin
Fritts Graham 24 Gratz Green Gunn
Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann
Hollingsworth Hoppe Hosmer Johnson Kelly 27
Kennedy Kissell Koller Kreider Lakin
Lawson Leake Liese Luetkenhaus May 108
Mays 50 McBride McLuckie Monaco Murray
O'Connor O'Toole Overschmidt Parker Ransdall
Relford Reynolds Rizzo Scheve Schilling
Seigfreid Shelton 57 Skaggs Smith Stokan
Stoll Stroker Thomason 163 Thompson 37 Treadway
Troupe Van Zandt Wiggins Williams 121 Williams 159
Wilson Mr. Speaker

NOES: 077

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Bonner Broach
Burton Champion Chrismer Cierpiot Cooper
Crawford Dolan Donovan Edwards-Pavia Elliott
Enz Evans Foster Froelker Gaskill
Gaston Gibbons Graham 106 Griesheimer Gross
Hall Hartzler 123 Hartzler 124 Hegeman Hendrickson
Hohulin Holand Howerton Kasten Kauffman

Kelley 47 Klindt Legan Levin Linton

Lograsso Long Loudon Marble McClelland

Merideth Miller Murphy Naeger Nordwald

Ostmann Patek Pouche Pryor Purgason

Reinhart Richardson Ridgeway Robirds Ross

Sallee Schwab Scott Secrest Sheldon 104

Shields Summers Surface Townley Vogel

Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 003

Shear Steen Thompson 72

VACANCIES: 001

On motion of Representative Lakin, ***HS SS#2 SCS SB 632, as amended,*** *was read the third time and passed by the following vote:*

AYES: 087

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Clayton Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Farnen Fitzwater Foley Franklin

Fritts Graham 24 Gratz Green Gunn

Hagan-Harrell Harlan Hartzler 123 Heckemeyer Hickey

Hilgemann Hollingsworth Hoppe Hosmer Johnson

Kauffman Kelly 27 Kennedy Kissell Koller

Kreider Lakin Lawson Leake Liese

Luetkenhaus May 108 Mays 50 McBride McClelland

McLuckie Monaco Murray O'Connor O'Toole

Overschmidt Parker Ransdall Relford Reynolds

Rizzo Scheve Schilling Seigfreid Shelton 57

Skaggs Smith Stokan Stoll Stroker

Thomason 163 Thompson 37 Treadway Troupe Van Zandt

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 071

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Crawford

Dolan Edwards-Pavia Elliott Enz Evans

Ford Foster Froelker Gaskill Gaston

Gibbons Graham 106 Griesheimer Gross Hall

Hartzler 124 Hegeman Hendrickson Hohulin Holand

Howerton Kasten Kelley 47 Klindt Legan

Levin Linton Lograsso Long Loudon

Marble Merideth Miller Murphy Naeger

Nordwald Ostmann Patek Pouche Pryor

Purgason Reinhart Richardson Ridgeway Robirds

Ross Sallee Schwab Scott Secrest

Sheldon 104 Shields Summers Surface Townley

Vogel

PRESENT: 000

ABSENT WITH LEAVE: 004

Bonner Shear Steen Thompson 72

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Stroker moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

Representative Lakin requested a verification of the roll call on Third Reading and Final Passage of ***HS SS#2 SCS SB 632, as amended****.*

BILL CARRYING REQUEST MESSAGE

HCS SB 739*, relating to subdivisions, was taken up by Representative Stoll.*

Representative Stoll moved that the House refuse to recede from its position on ***HCS SB 739*** *and grant the Senate a conference.*

Which motion was adopted.

SIGNING OF HOUSE BILLS

*All other business of the House was suspended while **HB 1508** and **HB 1609** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.*

SIGNING OF SENATE BILL

*All other business of the House was suspended while **HCS SCS SB 634** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.*

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1002

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1002, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1002, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1002, and the Conference Committee Substitute for House Bill No. 1002, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Deleta Williams /s/ Harry Wiggins

/s/ Scott Lakin /s/ Wayne Goode

/s/ Sandra Kauffman /s/ John T. Russell

/s/ Ken Legan /s/ Marvin Singleton

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1003

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1003, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1003, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1003, and the Conference Committee Substitute for House Bill No. 1003, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Deleta Williams /s/ Harry Wiggins

/s/ Scott Lakin /s/ Wayne Goode

/s/ Bonnie Sue Cooper /s/ John T. Russell

/s/ Sandra Kauffman /s/ Marvin Singleton

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1004

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1004, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1004, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1004, and the Conference Committee Substitute for House Bill No. 1004, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Deleta Williams /s/ Harry Wiggins

/s/ Timothy P. Green /s/ Wayne Goode

/s/ Chuck Gross /s/ John T. Russell

/s/ Ken Legan /s/ Marvin Singleton

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1005

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1005, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1005, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1005, and the Conference Committee Substitute for House Bill No. 1005, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Deleta Williams /s/ Harry Wiggins

/s/ Timothy P. Green /s/ Wayne Goode

/s/ Chuck Gross /s/ John T. Russell

/s/ Chuck Wooten /s/ Marvin Singleton

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1006

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1006, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1006, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1006, and the Conference Committee Substitute for House Bill No. 1006, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Deleta Williams /s/ Harry Wiggins

/s/ May Scheve /s/ Wayne Goode

/s/ Bonnie Sue Cooper /s/ John T. Russell

/s/ Jim Graham /s/ Marvin Singleton

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1007

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1007, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1007, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1007, and the Conference Committee Substitute for House Bill No. 1007, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Deleta Williams /s/ Harry Wiggins

/s/ May Scheve /s/ Wayne Goode

/s/ Bonnie Sue Cooper /s/ John T. Russell

/s/ Emmy McClelland /s/ Marvin Singleton

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1008

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1008, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1008, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1008, and the Conference Committee Substitute for House Bill No. 1008, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Deleta Williams /s/ Harry Wiggins

/s/ Scott Lakin /s/ Wayne Goode

/s/ Bonnie Sue Cooper /s/ John T. Russell

/s/ Gary Burton /s/ Marvin Singleton

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1009

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1009, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1009, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1009, and the Conference Committee Substitute for House Bill No. 1009, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Deleta Williams /s/ Harry Wiggins

/s/ Charles Quincy Troupe /s/ Wayne Goode

/s/ Pat Kelley /s/ John T. Russell

/s/ Mary Kasten /s/ Marvin Singleton

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1011

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1011, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1011, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1011, and the Conference Committee Substitute for House Bill No. 1011, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Deleta Williams /s/ Wayne Goode

/s/ Charles Quincy Troupe /s/ Joe Maxwell

/s/ John T. Russell

/s/ Marvin Singleton

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1012

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1012, begs leave to report that

we, after open, free and fair discussion of the differences between the Senate and House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1012, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1012, and the Conference Committee Substitute for House Bill No. 1012, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Timothy P. Green /s/ Harry Wiggins

/s/ Scott Lakin /s/ Wayne Goode

/s/ Gary Burton /s/ John T. Russell

/s/ Ken Legan /s/ Marvin Singleton

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1239

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Bill No. 1239, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3;

2. That the Senate recede from its position on Senate Substitute Amendment No. 1 for Senate Amendment No. 4, as amended;

3. That House Bill No. 1239, as amended by Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3 be Third Read and Finally Passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Kelly Parker /s/ Harold Caskey

/s/ Craig Hosmer /s/ Morris Westfall

/s/ Ralph A. Monaco /s/ Betty Sims

/s/ Jon Dolan /s/ Ronnie DePasco

/s/ Mark Richardson /s/ Jim Mathewson

COMMITTEE REPORTS

***Committee on Banks and Financial Institutions**, Chairman Copeland reporting:*

*Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SS SCS SBs 852 & 913**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.***

***Committee on Public Health and Safety**, Chairman Bland reporting:*

*Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 1871**, begs leave to report it has examined the same and recommends that it **Do Pass.***

***Committee on Utilities Regulation**, Chairman Mays (50) reporting:*

*Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **SB 566**, begs leave to report it has examined the same and recommends that it **Do Pass.***

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 745 - Education - Higher

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SCS SB 762 - Consumer Protection

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 709, entitled:

An act to repeal section 115.351, RSMo 1994, relating to the establishment of a presidential preference primary, and to enact in lieu thereof twelve new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS SBs 771 & 687, entitled:

An act to repeal sections 104.540, 210.720, 210.826, 210.830, 211.183, 211.464, 452.150, 452.310, 452.355, 452.377, 452.405, 452.411, 452.416, 452.600, 452.605, 453.160 and 454.432, RSMo 1994, and sections 192.016, 193.215, 210.109, 210.822, 211.444, 211.171, 211.447, 287.820, 452.340, 452.375, 452.400, 452.402, 452.423, 452.490, 453.010, 453.025, 453.030, 453.040, 453.060, 453.070, 453.075, 453.077, 453.080, 453.110, 453.170, 454.390, 454.408, 454.413, 454.440, 454.455, 454.460, 454.490, 454.505, 476.688 and 568.175, RSMo Supp. 1997, relating to child custody and child support proceedings, and to enact in lieu thereof fifty-eight new sections relating to the same subject, with an emergency clause and penalty provisions.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SB 910, entitled:

An act to repeal sections 104.540, 210.826, 210.830, 452.150, 452.310, 452.355, 452.377, 452.405, 452.411, 452.416, 452.600, 452.605 and 454.432, RSMo 1994, and sections 193.215, 210.109, 210.822, 287.820, 452.340, 452.375, 452.400, 452.423, 452.490, 454.390, 454.408, 454.413, 454.440, 454.455, 454.460, 454.490, 454.505 and 476.688, RSMo Supp. 1997, relating to child support, and to enact in lieu thereof thirty-eight new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1052, entitled:

An act to repeal sections 32.105 and 32.111, RSMo Supp. 1997, and section 10 as enacted by senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly and approved by the governor, relating to the workfare renovation project, and to enact in lieu thereof six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HB 1469, entitled:

An act to repeal sections 168.021 and 168.071, RSMo 1994, relating to certificate of license to teach, and to enact in lieu thereof two new sections relating to the same subject.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1469, Pages 1-2, Section 168.021, Lines 15-25, by striking all of said lines and inserting in lieu thereof the following:

"(3) By the state board, which shall issue the professional certificate classification in both the general and specialized areas most closely aligned with the current areas of certification approved by the state board, commensurate with the years of teaching experience of the applicant, and based upon the following criteria:

(a) Recommendation of a state-approved baccalaureate level teacher preparation program;

(b) Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education. Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate; and

(c) Upon completion of a background check and possession of a valid teaching certificate in the state from which the applicant's teacher preparation program was completed.".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1469, Page 4, Section 168.071, Line 34, by inserting immediately after the word "may" as it appears the second time, the following: ", upon hearing,"; and

Further amend said bill, Page 4, Section 168.071, Line 43, by inserting immediately after the word "offenses" the following: "established pursuant to Missouri law or offenses of a similar nature established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed".

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1469, Page 1, In the Title, Lines 2-3, by striking the following: "certificate of license to teach" and inserting in lieu thereof the following: "public schools"; and

Further amend said bill and page, section A, line 3, by inserting after all of said line the following:

"165.011. 1. The following funds are created for the accounting of all school moneys: teachers' fund, incidental fund, free textbook fund, capital projects fund and debt service fund. The treasurer of the school district shall open an account for each fund specified in this section, and all moneys received from the county school fund and all moneys derived from taxation for teachers' wages shall be placed to the credit of the teachers' fund. All tuition fees, state moneys received under sections 162.975, RSMo, and 163.031, RSMo, and all other moneys received from the state except as herein provided shall be placed to the credit of the teachers' and incidental funds at the discretion of the district board of education. Money received from other districts for transportation, and money derived from taxation for incidental expenses shall be credited to the incidental fund. Money apportioned for free textbooks shall be credited to the free textbook fund. All money derived from taxation or received from any other source for the erection of buildings or additions thereto and the remodeling or reconstruction of buildings and the furnishing thereof, for the payment of lease purchase obligations, for the purchase of real estate, or from sale of real estate, schoolhouses or other buildings of any kind, or school furniture, from insurance, from sale of bonds other than refunding bonds shall be placed to the credit of the capital projects fund. All moneys derived from the sale or lease of sites, buildings, facilities, furnishings and equipment by a school district as authorized under section 177.088, RSMo, shall be credited to the capital projects fund. Money derived from taxation for the retirement of bonds and the payment of interest thereon shall be credited to the debt service fund which shall be maintained as a separate bank account. Receipts from delinquent taxes shall be allocated to the several funds on the same basis as receipts from current taxes, except that where the previous years' obligations of the district would be affected by such distribution, the delinquent taxes shall be distributed according to the tax levies made for the years in which the obligations were incurred. All refunds received shall be placed to the credit of the fund from which the original expenditures were made. Money donated to the school districts shall be placed to the credit of the fund where it can be expended to meet the purpose for which it was donated and accepted. Money received from any other source whatsoever shall be placed to the credit of the fund or funds designated by the board.

2. The school board may expend from the incidental fund the sum that is necessary for the ordinary repairs of school property and an amount not to exceed the sum of expenditures for classroom instructional capital outlay, as defined by the department of elementary and secondary education by rule, in state-approved area vocational-technical schools and .06 dollars per one hundred dollars equalized assessed valuation multiplied by the guaranteed tax base for the second preceding year multiplied by the number of resident and nonresident eligible pupils educated in the district for the second preceding year for classroom instructional capital outlay, including but not limited to payments authorized pursuant to section 177.088, RSMo. Any and all payments authorized under section 177.088, RSMo, except as otherwise provided in this subsection, for the purchase or lease of sites, buildings, facilities, furnishings and equipment and all other expenditures for capital outlay shall be made from the capital projects fund. If a balance remains in the free textbook fund after books are furnished to pupils as provided in section 170.051, RSMo, it shall be transferred to the teachers' fund. The board may transfer the portion of the balance remaining in the incidental fund to the teachers' fund that is necessary for the total payment of all contracted obligations to teachers. If a balance remains in the debt service fund, after the total outstanding indebtedness for which the fund was levied is paid, the board may transfer the unexpended balance to the capital projects fund. If a balance remains in the bond proceeds after completion of the project for which the bonds were issued, the balance shall be transferred from the incidental or capital projects fund to the debt service fund. After making all placements of interest otherwise provided by law, a school district may transfer from the capital projects fund to the incidental fund the interest earned from undesignated balances in the capital projects fund.

3. Tuition shall be paid from either the teachers' or incidental funds.

4. Other provisions of law to the contrary notwithstanding, the school board of a school district that satisfies the criteria specified in subsection 5 of this section may transfer from the incidental fund to the capital projects fund an amount not to exceed the greater of zero or the sum of .18 dollars per one hundred dollars equalized assessed valuation multiplied by the guaranteed tax base for the second preceding year multiplied by the number of resident and nonresident eligible pupils educated in the district for the second preceding year and the amount to be expended for transportation equipment that is considered an allowable cost under state board of education rules for transportation reimbursements during the current year and any amount necessary to satisfy obligations of the capital projects fund for state-approved area vocational-technical schools and an amount not to exceed .06 dollars per one hundred dollars equalized assessed valuation multiplied by the guaranteed tax base for the second preceding year multiplied by the number of resident and nonresident eligible pupils educated in the district for the second preceding year less any amount transferred pursuant to subsection 7 of this section, provided that any amount transferred pursuant to this subsection shall only be transferred as necessary to satisfy obligations of the capital projects fund less any amount expended from the incidental fund for classroom instructional capital outlay pursuant to subsection 2 of this section. For the purposes of this subsection, the guaranteed tax base and a district's count of resident and nonresident eligible pupils educated in the district shall not be less than their respective values calculated from data for the 1992-93

school year.

5. In order to transfer funds pursuant to subsection 4 of this section, a school district shall:

(1) Meet the minimum criteria for state aid and for increases in state aid for the current year established pursuant to section 163.021, RSMo;

(2) Not incur a total debt, including short-term debt and bonded indebtedness in excess of ten percent of the guaranteed tax base for the preceding payment year multiplied by the number of resident and nonresident eligible pupils educated in the district in the preceding year;

(3) Set tax rates pursuant to section 164.011, RSMo;

(4) First apply any voluntary rollbacks or reductions to the total tax rate levied to the teachers' and incidental funds;

(5) In order to be eligible to transfer funds for paying lease purchase obligations:

(a) Incur such obligations, except for obligations for lease purchase for school buses, prior to January 1, 1997;

(b) Limit the term of such obligations to no more than twenty years;

(c) Limit annual installment payments on such obligations to an amount no greater than the amount of the payment for the first full year of the obligation, including all payments of principal and interest, except that the amount of the final payment shall be limited to an amount no greater than two times the amount of such first-year payment;

(d) Limit such payments to leasing nonathletic, classroom, instructional facilities as defined by the state board of education through rule; and

(e) Not offer instruction at a higher grade level than was offered by the district on July 12, 1994.

6. A school district shall be eligible to transfer funds pursuant to subsection 7 of this section if:

(1) Prior to August 28, 1993:

(a) The school district incurred an obligation for the purpose of funding payments under a lease purchase contract authorized under section 177.088, RSMo;

(b) The school district notified the appropriate local election official to place an issue before the voters of the district for the purpose of funding payments under a lease purchase contract authorized under section 177.088, RSMo; or

(c) An issue for funding payments under a lease purchase contract authorized under section 177.088, RSMo, was approved by the voters of the district; or

(2) Prior to November 1, 1993, a school board adopted a resolution authorizing an action necessary to comply with subsection 9 of section 177.088, RSMo. Any increase in the operating levy of a district above the 1993 tax rate resulting from passage of an issue described in paragraph (b) of subdivision (1) of this subsection shall be considered as part of the 1993 tax rate for the purposes of subsection 1 of section 164.011, RSMo.

7. Prior to transferring funds pursuant to subsection 4 of this section, a school district may transfer, pursuant to this subsection, from the incidental fund to the capital projects fund an amount as necessary to satisfy an obligation of the capital projects fund that satisfies at least one of the conditions specified in subsection 6 of this section, but not to exceed its payments authorized under section 177.088, RSMo, for the purchase or lease of sites, buildings, facilities, furnishings, equipment, and all other expenditures for capital outlay, plus the amount to be expended for transportation equipment that is considered an allowable cost under state board of education rules for transportation reimbursements during the current year plus any amount necessary to satisfy obligations of the capital projects fund for state-approved area vocational-technical schools. A school district with a levy for school purposes no greater than the minimum levy specified in section 163.021, RSMo, and an obligation in the capital projects fund that satisfies at least one of the conditions specified in subsection 6 of this section, may transfer from the incidental fund to the capital projects fund the amount necessary to meet the obligation plus the transfers pursuant to subsection 4 of this section.

8. Beginning in the 1995-96 school year, the department of elementary and secondary education shall deduct from a school district's state aid calculated pursuant to section 163.031, RSMo, an amount equal to the amount of any transfer of funds from the incidental fund to the capital projects fund performed during the previous year in violation of this section.

9. On or before June 30, [1995] 1999, a school district may transfer to the capital projects fund from the balances of the teachers' and incidental funds any amount, but only to the extent that the amount transferred is equal to or less than the amount that the teachers' and incidental fund unrestricted balances on June 30, 1995, [are equal to or greater than] exceeded eight percent of expenditures from the teachers' and incidental funds for the year ending June 30, 1995.

10. In addition to other transfers authorized under subsections 1 to 9 of this section, a district may transfer from the teachers' and incidental funds to the capital projects fund the amount necessary to repay costs of one or more guaranteed energy savings performance contracts to renovate buildings in the school district; provided that the contract is only for energy conservation measures, as defined in section 640.651, RSMo, and provided that the contract specifies that no payment or total of payments shall be required from the school district until at least an equal total amount of energy and energy-related operating savings and payments from the vendor pursuant to the contract have been realized by the school district."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1469, Page 1, In the Title, Lines 2-3, by striking the following: "certificate of license to teach" and inserting in lieu thereof the following: "teachers"; and

Further amend said bill, page 6, section 168.071, line 101, by inserting after all of said line the following:

"168.221. 1. The first [three] five years of employment of all teachers [and principals] entering the employment of the metropolitan school district shall be deemed a period of probation during which period all appointments of teachers [and principals] shall expire at the end of each school year. During the probationary period any probationary teacher [or principal] whose work is unsatisfactory shall be furnished by the superintendent of schools with a written statement setting forth the nature of his incompetency. If improvement satisfactory to the superintendent is not made within one semester after the receipt of the statement, the probationary teacher [or principal] shall be dismissed. The semester granted the probationary teacher [or principal] in which to improve shall not in any case be a means of prolonging the probationary period beyond [three] five years and six months from the date on which the teacher [or principal] entered the employ of the board of education. The superintendent of schools on or before the fifteenth day of April in each year shall notify probationary teachers [or principals] who will not be retained by the school district of the termination of their services. Any probationary teacher [or principal] who is not so notified shall be deemed to have been appointed for the next school year. Any principal who prior to becoming a principal had attained permanent employee status as a teacher shall upon ceasing to be a principal have a right to resume his or her permanent teacher position with the time served as a principal being treated as if such time had been served as a teacher for the purpose of calculating seniority and pay scale. The rights and duties and remuneration of a teacher who was formerly a principal shall be the same as any other teacher with the same level of qualifications and time of service.

2. After completion of satisfactory probationary services, appointments of teachers [and principals] shall become permanent, subject to removal for any one or more causes herein described and to the right of the board to terminate the services of all who attain the age of compulsory retirement fixed by the retirement system. In determining the duration of the probationary period of employment in this section specified, the time of service rendered as a substitute teacher [or substitute principal] shall not be included.

3. No teacher [or principal] whose appointment has become permanent may be removed except for one or more of the following causes: Immorality, inefficiency in line of duty, violation of the published regulations of the school district, violation of the laws of Missouri governing the public schools of the state, or physical or mental condition which incapacitates him for instructing or associating with children, and then only by a vote of not less than a majority of all the members of the board, upon written charges presented by the superintendent of schools, to be heard by the board after thirty days' notice, with copy of the charges served upon the person against whom they are preferred, who shall have the privilege of being present, together with counsel, offering evidence and making defense thereto. Notifications received by an employee during a vacation period shall be considered as received on the first day of the school term following. At the request of any person so charged the hearing shall be public. The action and decision of the board upon the charges shall be final. Pending the hearing of the charges, the person charged may be suspended if the rules of the board so prescribe, but in the event the board does not by a majority vote of all the members remove the teacher [or principal] upon charges presented by the superintendent, the person shall not suffer any loss of salary by reason of the suspension. Inefficiency in line of duty is cause for dismissal only after the teacher [or principal] has been notified in writing at least one semester prior to the presentment of charges against him by the superintendent. The notification shall specify the nature of the inefficiency with such particularity as to enable the teacher [or principal] to be informed of the nature of his inefficiency.

4. No teacher [or principal] whose appointment has become permanent shall be demoted nor shall his salary be reduced unless the same procedure is followed as herein stated for the removal of the teacher [or principal] because of inefficiency in line of duty, and any teacher [or principal] whose salary is reduced or who is demoted may waive the presentment of charges against him by the superintendent and a hearing thereon by the board. The foregoing provision shall apply only to permanent teachers [and principals] prior to the compulsory retirement age under the retirement system. Nothing herein contained shall in any way restrict or limit the power of the board of education to make reductions in the number of teachers or principals, or both,

because of insufficient funds, decrease in pupil enrollment, or abolition of particular subjects or courses of instruction, except that the abolition of particular subjects or courses of instruction shall not cause those teachers who have been teaching the subjects or giving the courses of instruction to be placed on leave of absence as herein provided who are qualified to teach other subjects or courses of instruction, if positions are available for the teachers in the other subjects or courses of instruction.

5. Whenever it is necessary to decrease the number of teachers or principals, or both, because of insufficient funds or a substantial decrease of pupil population within the school district, the board of education upon recommendation of the superintendent of schools may cause the necessary number of teachers or principals, or both, beginning with those serving probationary periods, to be placed on leave of absence without pay, but only in the inverse order of their appointment. Nothing herein stated shall prevent a readjustment by the board of education of existing salary schedules. No teacher or principal placed on a leave of absence shall be precluded from securing other employment during the period of the leave of absence. Each teacher or principal placed on leave of absence shall be reinstated in inverse order of his placement on leave of absence. Such reemployment shall not result in a loss of status or credit for previous years of service. No new appointments shall be made while there are available teachers or principals on leave of absence who are seventy years of age or less and who are adequately qualified to fill the vacancy unless the teachers or principals fail to advise the superintendent of schools within thirty days from the date of notification by the superintendent of schools that positions are available to them that they will return to employment and will assume the duties of the position to which appointed not later than the beginning of the school year next following the date of the notice by the superintendent of schools.

6. If any regulation which deals with the promotion of either teachers or principals, or both, is amended by increasing the qualifications necessary to be met before a teacher or principal is eligible for promotion, the amendment shall fix an effective date which shall allow a reasonable length of time within which teachers or principals may become qualified for promotion under the regulations."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS HCS HBs 1519 & 1165, entitled:

An act to repeal sections 41.435, 42.105 and 173.215, RSMo 1994, and sections 173.239 and 313.835, RSMo Supp. 1997, and to enact in lieu thereof ten new sections for the purpose of the distribution of moneys from the gaming commission fund, with penalty provisions.

With Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Amendment No. 1, as amended, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6 and Senate Amendment No. 7.

Senate Substitute Amendment No. 1

for

Senate Amendment No. 1

to

Senate Substitute Amendment No. 1

for

Senate Amendment No. 1

AMEND Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1519 & 1165, Page 1, Line 4 of said amendment, by inserting immediately before the word "appropriated" the word "annually"; and further amend said amendment, page 2, line 1, by striking the word "exceed" and inserting in lieu thereof the following: "annually exceeds"; and further amend line 2, by inserting immediately after the word "transferred" the word "annually".

Senate Substitute Amendment No. 1

for

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1519 & 1165, Page 22, Section 313.835, Line 5, of said page, by striking the word "One" and inserting in lieu thereof the word "Three"; and further amend line 7 of said page, by inserting immediately after the word "RSMo" the following: ", and additional moneys as appropriated by the general assembly shall be appropriated to such fund"; and

Further amend said bill, Page 22, Section 313.835, Line 8 of said page, by striking the word "all" and inserting in lieu thereof the following: "one hundred percent of"; and

Further amend said bill, Page 22, Section 313.835, Line 11 of said page, by inserting immediately after the word "created" the following: "to give parents meaningful choices and assistance in choosing the child care and education arrangements that are appropriate for their family"; and

Further amend said bill, Page 28, Section 313.835, Lines 4-9 of said page, by striking all of said lines and inserting in lieu thereof the following:

"(l) When the remaining net proceeds, as such term is used pursuant to paragraph (d) of this subdivision, in the gaming commission fund exceed twenty-seven million dollars, one and one-half million dollars of such proceeds shall be transferred, subject to appropriation, to the Missouri college guarantee fund, established pursuant to the provisions of section 173.248, RSMo.".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1519 & 1165, Page 15, Section 173.245, Lines 16-18 of said page, by striking all of said lines and inserting in lieu thereof the following: "amount of any non-loan need-based federal financial aid, all other non-loan need-based assistance received by or on behalf of the student pursuant to other provisions of this chapter and any other non-loan need-based".

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1519 & 1165, Page 14, Section 173.245, Line 24, by inserting immediately after said line the following:

6 (1). A student seeking a scholarship pursuant to this section shall maintain a cumulative grade point average (GPA) of at least two point five on a four point scale, or the equivalent on another scale approved by the program administrator while attending the approved public or private institution.

(2). If the grade point average of a member who is receiving educational assistance pursuant to this section falls below two point five on a four point scale, or the equivalent on another scale, such member shall retain the educational assistance and shall be placed on probation under the educational assistance program. Failure to achieve a current grade point average of at least two point five on a four point scale, or the equivalent on another scale for future semesters or equivalent academic terms shall result in termination of the scholarship effective as of the next academic term. The member shall be removed from probation status upon achieving a cumulative grade point average of two point five on a four point scale or the equivalent on another scale.

and renumber accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1519 & 1165, Page 5, Section 41.215, Line 11, by inserting after said line the following:

"5. Moneys to be credited to the Missouri National Guard Trust Fund pursuant to subsection 1 of this section shall be placed in a subaccount and shall be used solely for the purpose authorized in section 41.958."

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1519 & 1165, Page 24, Section 313.835, Line 21, by inserting immediately after all of said line the following:

"d. Beginning on the effective date of this act, the department of elementary and secondary education and the department of social services shall initiate and conduct a four-year study to evaluate the impact of early childhood development, education and care in this state. The study shall consist of an evaluation of children eligible for moneys pursuant to this paragraph, including an evaluation of the early childhood development, education and care of those children participating in such program and those not participating in the program over a four-year period. At the conclusion of the study, the department of elementary and secondary education and the department of social services shall, within ninety days of conclusion of the study, submit a report to the general assembly and the governor, with an analysis of the study required pursuant to this subparagraph, all data collected, findings, and other information relevant to early childhood development, education and care.".

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1519 & 1165, Page 24, Section 313.835, Line 10 of said page, by inserting immediately after the semicolon ";" the following: "and

(vii) With respect to applications by public schools, the establishment of a parent advisory committee within each public school program;".

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1519 & 1165, Page 10, Section 173.239, Line 8, by inserting after the period on said line the following:

"(3) The grants provided under this section may be prorated subject to appropriations in an amount no less than fifty percent of the limits set forth in this section."

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HB 927, as amended, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on HB 1410, as amended: Senators House, Johnson, Staples, Sims and Kenney.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on HCS SB 883, as amended: Senators Staples, McKenna, DePasco, Sims and Ehlmann.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, May 5, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-fourth Day, Thursday, April 30, 1998, Page 1376, lines 35 through 39, by deleting all of said lines.

Page 1382, line 5, by deleting the word "requested" on said line and inserting in lieu thereof the word "moved".

Page 1382, line 9, by deleting the words "point of order" on said line and inserting in lieu thereof the word "motion".

Pages 1373 and 1374, roll call, by showing Representatives Akin, Donovan and McBride voting "aye" rather than "absent with leave".

Pages 1375 and 1376, roll call, by showing Representatives Franklin, Hendrickson and Kelley (47) voting "no" rather than "absent with leave".

Pages 1375 and 1376, roll call, by showing Representative Bartelsmeyer voting "no" rather than "absent with leave".

Pages 1376 and 1377, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 1376 and 1377, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 1377 and 1378, roll call, by showing Representatives Broach, Hoppe, Kennedy and Levin voting "aye" rather than "absent with leave".

Pages 1378 and 1379, roll call, by showing Representative Ladd Stokan voting "aye" rather than "absent with leave".

Pages 1379 and 1380, roll call, by showing Representatives Boatright, Ladd Stokan and Ridgeway voting "aye" rather than "absent with leave".

Pages 1382 and 1383, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 1383 and 1384, roll call, by showing Representatives Naeger and Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Tuesday, May 5, 1998, 9:00 am. Hearing Room 9. Possible executive session on bills in budget.

To be considered - SB 680, SB 922

CONSUMER PROTECTION

Tuesday, May 5, 1998. Hearing Room 7 upon evening adjournment. Executive session to follow.

To be considered - SB 522, SB 762

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, May 5, 1998. Hearing Room 8 upon morning adjournment.

To be considered - HB 1916, HB 1945, HCR 28

EDUCATION - HIGHER

Tuesday, May 5, 1998. Hearing Room 6 upon morning adjournment.

To be considered - SB 745

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY & PLANNING

Monday, May 11, 1998, 1:00 pm. Senate Committee Room #1 (118).

Dept. of Economic Development on Sister Cities.

JOINT COMMITTEE ON GAMING AND WAGERING

Tuesday, May 5, 1998, 9:00 am. Hearing Room 7. Lewis Ullery,

Gubernatorial appointee to the Gaming Commission.

JUDICIARY

Tuesday, May 5, 1998. Hearing Room 5 upon morning adjournment. Executive session may follow.

To be considered - HB 1614

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, May 5, 1998, 1:30 pm. Hearing Room 1 and 2. Executive session may follow.

To be considered - SB 613

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, May 5, 1998, 1:00 pm. Hearing Room 7. Executive session may follow.

Continuation from previous meeting.Executive session may follow.

To be considered - SB 813

STATE PARKS, NATURAL RESOURCES & MINING

Tuesday, May 5, 1998. Side gallery upon noon adjournment. Executive session.

HOUSE CALENDAR

Sixty-sixth Day, Tuesday, May 5, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

3 HCS HB 1674, HS#2, as amended, pending, - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1124 - Days

3 HS HB 1796 - Harlan

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR SECOND READING

1 SB 709

2 SS SCS SB 771 & 687

3 SS SB 910

SENATE JOINT RESOLUTION FOR THIRD READING

1 HCS SCS SJR 24 - Days

SENATE BILLS FOR THIRD READING

1 HCS SB 487 - Auer

2 HCS SCS SB 722 - Auer

3 HCS SB 761 - Skaggs

4 HCS SS SCS SB 675, 483, 490 & 564 - Scheve

5 HCS SS SCS SB 781 - Stoll

6 HCS SB 787 - Riback Wilson

7 HCS SB 615, (Budget Fiscal 4-27-98) - Treadway

8 HCS SB 827 - Rizzo

9 SB 743 - Hoppe

10 HCS SCS SB 614, 696, 906, 530, 912 & 914 - May (108)

11 HCS SB 680, (Budget Fiscal 4-28-98) - May (108)

12 HCS SB 936 - Bray

13 SCS SB 561, HCA 1 - Boucher

14 HCS SS SCS SB 583 & 645 - Thomason (163)

15 HCS SB 619 - Stoll

16 HCS SB 674 - Riback Wilson

17 HCS SS SB 792 - Liese

18 HCS SCS SB 922, (Budget Fiscal 4-28-98) - Luetkenhaus

HOUSE BILL WITH SENATE AMENDMENTS

1 SCS HB 1052 - Ford

BILLS IN CONFERENCE

1 CCR SCS HCS HB 1002 - Franklin

2 CCR SCS HCS HB 1003, as amended - Franklin

3 CCR SCS HCS HB 1004, as amended - Franklin

4 CCR SCS HCS HB 1005 - Franklin

5 CCR SCS HCS HB 1006, as amended - Franklin

6 CCR SCS HCS HB 1007, as amended - Franklin

7 CCR SCS HCS HB 1008 - Franklin

8 CCR SCS HCS HB 1009 - Franklin

9 SCS HCS HB 1010, as amended - Franklin

10 CCR SCS HCS HB 1011, as amended - Franklin

11 CCR SCS HCS HB 1012 - Franklin

12 HCS SB 778 - Hoppe

13 HCS SB 809 - Hoppe

14 HB 1410, as amended - Luetkenhaus

15 CCR HB 1239, as amended - Parker

16 HCS SB 883, as amended - Koller

17 HCS SB 739 - Stoll

18 SCS HB 927, as amended - Hosmer

HOUSE RESOLUTIONS

1 HR 38, (March 10, 1998, pg. 511) - Williams (121)

2 HR 130, (March 10, 1998, pg. 511) - Gratz

3 HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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House Journal

Second Regular Session, 89th General Assembly

SIXTY-SIXTH DAY, Tuesday, MAY 5, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Hugh Behan.

"Depart from evil and do good." (Ps. 37:27).

Joan Branson in the Chief Clerk's office has a computer screen saver which says "I may bend, but I do not break." How may times are we challenged by the little things of life, a series of frustrations and then we lose it, perhaps for a moment, or for longer. We bend, but do not break. Then there are the bigger questions, the matters of core principles and values, our own personal ones and those of our society. We are tempted to have no fixed principles, to bend and break with every change of the political wind or when challenged by others whose favor we seek or wish to keep. The temptation to let go and be broken is ever present.

Today, Eternal Father, we ask for the grace of being flexible when that is called for, but holding firmly to those core values and ideas which would make us break faith with ourselves in the depths of our soul or with the social contract, the community's deeply held values which are echoed in our hearts, planted there by Your spirit arising from our sacred dignity. May this prayer guide us as we come close to the end of this session.

We remember also in prayer today a former Speaker, Tom Graham, and his son, a former member, Chris Graham, as they lay to rest Edith Graham, wife and mother. May the family be blessed and all those who mourn and are suffering at this time. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chelsea Davis, Allyson Hawksley, Conner Kirkpatrick, Katie Sunderman, Peter Chollet, Jenna Doisy, Lily Elfrink, Emily Mumm, Tim Gee, Andy Heckmann, Maggie Rahmoeller, Lauren Young, Ben Murphy, Kristina Warlen, Kelly Anstine, Amy Porrett, Brittaney Whittenburg, Brooklyn Whittenburg, Brandt Whittenburg, Brenden Whittenburg, Beth Maddox, Margie Ohlberg, Hope Mattis, Shannon Gardner, Drew Gardner, Anne Gepford, David Melnick, Sarah Rader, Benjamin Singer, Jamie Sachar, Gretchen Lutz, Dawn Crouch, April Boyd, Joseph Campbell,

Jennifer James, Kameron Wooden, Bernadyne Cavitt, Edna M. Foxworth, Kayla McKechnie and Eric Sawyer.

The Journal of the sixty-fifth day was approved as corrected.

RESOLUTIONS

Representative Vogel offered House Resolution No. 1246.

Representative Vogel offered House Resolution No. 1247 and House Resolution No. 1248, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution No. 1249, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Klindt offered House Resolution No. 1250, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF SENATE BILLS

SB 709, SS SCS SB 771 & 687 and **SS SB 910** were read the second time.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SB 680 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SCS SB 922 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

THIRD READING OF SENATE JOINT RESOLUTION

HCS SCS SJR 24, relating to water pollution and storm water control, was taken up by Representative Days.

Representative Days offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Joint Resolution No. 24, Page 4, Section 37(g), Line 8, by deleting the words "**administered by**" and inserting in lieu thereof the following: "**through grants and loans administered by the clean water commission and**".

On motion of Representative Days, House Amendment No. 1 was adopted.

On motion of Representative Days, **HCS SCS SJR 24, as amended,** was adopted.

On motion of Representative Days, **HCS SCS SJR 24, as amended,** was read the third time and passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bennett Koller Kreider Shear Sheldon 104
Williams 121

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Fritts moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 1052, relating to workfare renovation project, was taken up by Representative Ford.

Representative Ford moved that the House refuse to adopt **SCS HB 1052** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS IN CONFERENCE

CCR HB 1239, as amended, relating to victims of crime, was taken up by Representative Parker.

On motion of Representative Parker, CCR HB 1239, as amended, was adopted by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Monaco Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Ransdall Reinhart Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 009

Bennett Ford Lograsso Miller Pryor

Purgason Relford Shear Sheldon 104

VACANCIES: 001

On motion of Representative Parker, HB 1239, as amended, was read the third time and passed by the following vote:

AYES: 151

Alter Auer Backer Ballard Barnett

Bartelsmeyer Bartlett Berkstresser Bland Boatright

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Clayton Cooper Copeland Crawford Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 002

Barry 100 Murphy

PRESENT: 000

ABSENT WITH LEAVE: 009

Akin Bauer Bennett Crump Ford

Lograsso Shear Sheldon 104 Thomason 163

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Mays (50) moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1002, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, CCR SCS HCS HB 1002 was adopted by the following vote:

AYES: 149

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Foster Franklin

Fritts Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Long Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 008

Akin Froelker Hall Hohulin Linton

Loudon Murphy Pryor

PRESENT: 000

ABSENT WITH LEAVE: 005

Bennett Ford Lograsso Shear Sheldon 104

VACANCIES: 001

On motion of Representative Lakin, CCS SCS HCS HB 1002 was read the third time and passed by the following vote:

AYES: 150

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Long Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 007

Akin Hall Hohulin Linton Loudon

Murphy Pryor

PRESENT: 000

ABSENT WITH LEAVE: 005

Bennett Ford Lograsso Shear Sheldon 104

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Daniels (42), title to the bill was agreed to.

Representative DeMarce moved that the vote by which the bill passed be reconsidered.

Representative Campbell moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1003, as amended, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, CCR SCS HCS HB 1003, as amended, was adopted by the following vote:

AYES: 145

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Foster Franklin Fritts

Gaskill Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Long Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 009

Akin Edwards-Pavia Froelker Hall Hohulin

Linton Loudon Murphy Pryor

PRESENT: 000

ABSENT WITH LEAVE: 008

Bennett Ford Gaston Hoppe Kennedy

Lograsso Shear Sheldon 104

VACANCIES: 001

On motion of Representative Lakin, CCS SCS HCS HB 1003 was read the third time and passed by the following vote:

AYES: 147

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Foster Franklin

Fritts Froelker Gaskill Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hosmer Howerton Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Long

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 007

Akin Hall Hohulin Linton Loudon

Murphy Pryor

PRESENT: 000

ABSENT WITH LEAVE: 008

Bennett Ford Gaston Hoppe Johnson

Lograsso Shear Sheldon 104

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Stroker, title to the bill was agreed to.

Representative Fritts moved that the vote by which the bill passed be reconsidered.

Representative Auer moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1004, as amended, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, CCR SCS HCS HB 1004, as amended, was adopted by the following vote:

AYES: 146

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Farnen
Fitzwater Foley Foster Franklin Fritts
Gaskill Gibbons Graham 106 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Pouche Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 005

Froelker Hohulin Murphy Patek Pryor

PRESENT: 000

ABSENT WITH LEAVE: 011

Bennett Cooper Evans Ford Gaston

Graham 24 Kennedy Linton Lograsso Shear

Sheldon 104

VACANCIES: 001

On motion of Representative Green, CCS SCS HCS HB 1004 was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wilson Wooten Mr. Speaker

NOES: 003

Hohulin Murphy Pryor

PRESENT: 000

ABSENT WITH LEAVE: 010

Bennett Ford Gaskill Gaston Linton

Lograsso Shear Sheldon 104 Stokan Williams 121

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Schilling, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1005, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, CCR SCS HCS HB 1005 was adopted by the following vote:

AYES: 125

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Berkstresser Bland

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Clayton Cooper Copeland Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days Dolan

Donovan Dougherty Edwards-Pavia Elliott Fitzwater

Foley Franklin Fritts Gaskill Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hosmer Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Ransdall Reinhart Reynolds Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Shelton 57 Shields

Skaggs Steen Stoll Stroker Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 022

Ballard Cierpiot Crawford DeMarce Enz

Evans Farnen Foster Froelker Hartzler 124

Hohulin Howerton Murphy Naeger Nordwald

Pryor Purgason Richardson Ridgeway Seigfreid

Smith Summers

PRESENT: 000

ABSENT WITH LEAVE: 015

Akin Bennett Ford Gaston Hall

Hoppe Kissell Liese Linton Lograsso

Patek Relford Shear Sheldon 104 Stokan

VACANCIES: 001

On motion of Representative Green, CCS SCS HCS HB 1005 was read the third time and passed by the following vote:

AYES: 116

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Berkstresser Bland

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Clayton Cooper Copeland Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days Dolan

Donovan Fitzwater Foley Franklin Fritts

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Heckemeyer Hegeman Hickey

Hilgemann Holand Hollingsworth Hosmer Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Leake Legan Levin Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Ransdall Relford Reynolds Rizzo

Robirds Ross Scheve Schilling Schwab

Scott Secrest Shelton 57 Shields Skaggs

Stoll Stroker Surface Thomason 163 Thompson 37

Thompson 72 Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Wilson Wooten

Mr. Speaker

NOES: 030

Ballard Cierpiot Crawford DeMarce Elliott

Enz Evans Farnen Foster Froelker

Gaskill Hartzler 124 Hendrickson Hohulin Howerton

Loudon Murphy Naeger Nordwald Patek

Pryor Purgason Reinhart Richardson Ridgeway

Seigfreid Smith Summers Townley Williams 159

PRESENT: 000

ABSENT WITH LEAVE: 016

Akin Bennett Dougherty Edwards-Pavia Ford

Hall Hoppe Lawson Liese Linton

Lograsso Sallee Shear Sheldon 104 Steen

Stokan

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Wiggins, title to the bill was agreed to.

Representative Bland moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HB 927: Representatives Hosmer, Foley, Smith, Hendrickson and Wooten

SIGNING OF HOUSE BILLS

Having been duly signed in open session of the Senate, HB 1508 and HB 1609 were delivered to the Governor by the Chief Clerk of the House.

On motion of Representative Backer, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Green.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chelsea Brauningher, Eric Brauningher, Helen Brauningher, Bryan Bouldin, Mark L. Hall, Julie Stoffer, Jacob Stoffer, Joshua Stoffer, Joanna Stoffer and Jessie Stoffer.

RESOLUTIONS

Representative Gaw offered House Resolution No. 1251 through House Resolution No. 1254, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1255, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Naeger offered House Resolution No. 1256, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Champion and Stoll offered House Resolution No. 1257, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Patek offered House Resolution No. 1258 and House Resolution No. 1259, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kauffman offered House Resolution No. 1260, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 1261 through House Resolution No. 1263, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 1264 through House Resolution No. 1268, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 1269, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Days offered House Resolution No. 1270, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution No. 1271, which was referred to the Committee on Miscellaneous Bills and Resolutions.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 739: Representatives Stoll, Johnson, Liese, Sallee and Summers.

MOTION

SS SCS HCS HBs 1519 & 1165, as amended, relating to distribution of gaming money, was taken up by Representative Boucher.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 004

Gross Lograsso Loudon Reynolds

ABSENT WITH LEAVE: 003

Daniel 42 Hall Shear

VACANCIES: 001

Speaker Gaw assumed the Chair.

Representative Backer moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Clayton Copeland Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Dougherty Farnen

Fitzwater Foley Ford Franklin Fritts

Graham 24 Gratz Green Gunn Hagan-Harrell

Harlan Heckemeyer Hickey Hilgemann Hollingsworth

Hoppe Hosmer Johnson Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Liese Luetkenhaus May 108 Mays 50

McBride McLuckie Monaco Murray O'Connor

O'Toole Overschmidt Parker Ransdall Relford

Reynolds Rizzo Scheve Schilling Seigfreid

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 077

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Bonner Broach

Burton Champion Chrismer Cierpiot Cooper

Crawford Dolan Donovan Edwards-Pavia Elliott

Enz Evans Foster Froelker Gaskill

Gaston Gibbons Graham 106 Griesheimer Gross

Hall Hartzler 123 Hartzler 124 Hegeman Hendrickson

Hohulin Holand Howerton Kasten Kauffman

Kelley 47 Klindt Legan Levin Linton

Lograsso Long Loudon Marble McClelland

Merideth Miller Murphy Naeger Nordwald

Ostmann Patek Pouche Pryor Purgason

Reinhart Richardson Ridgeway Robirds Sallee

Schwab Scott Secrest Sheldon 104 Shields

Steen Summers Surface Townley Vogel

Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 003

Daniel 42 Ross Shear

VACANCIES: 001

On motion of Representative Boucher, SS SCS HCS HBs 1519 & 1165, as amended, was adopted by the following vote:

AYES: 099

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Broach Campbell

Carter Chrismer Cierpiot Clayton Cooper

Copeland Crump Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Farnen Fitzwater Foley Ford Franklin

Fritts Gaston Graham 24 Gratz Green

Gunn Hagan-Harrell Harlan Hartzler 123 Heckemeyer

Hickey Hilgemann Hollingsworth Hoppe Hosmer

Howerton Johnson Kauffman Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Liese Luetkenhaus May 108 Mays 50

McBride McClelland McLuckie Merideth Monaco

Murray O'Connor O'Toole Ostmann Overschmidt

Parker Ransdall Relford Reynolds Ridgeway

Rizzo Ross Scheve Schilling Seigfreid

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Summers Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 060

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Burton Champion

Crawford Edwards-Pavia Elliott Enz Evans

Foster Froelker Gaskill Gibbons Graham 106

Griesheimer Gross Hall Hartzler 124 Hegeman

Hendrickson Hohulin Holand Kasten Kelley 47

Klindt Legan Levin Linton Lograsso

Long Loudon Marble Miller Murphy

Naeger Nordwald Patek Pouche Pryor

Purgason Reinhart Richardson Robirds Sallee

Schwab Scott Secrest Sheldon 104 Shields

Steen Surface Townley Vogel Wannenmacher

PRESENT: 001

Bonner

ABSENT WITH LEAVE: 002

Daniel 42 Shear

VACANCIES: 001

On motion of Representative Boucher, SS SCS HCS HBs 1519 & 1165, as amended, was truly agreed to and finally passed by the following vote:

AYES: 094

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Broach Campbell

Carter Clayton Cooper Copeland Crump

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Farnen Fitzwater

Foley Franklin Fritts Gaston Graham 24

Gratz Green Gunn Hagan-Harrell Harlan

Hartzler 123 Heckemeyer Hendrickson Hickey Hilgemann

Hollingsworth Hoppe Hosmer Johnson Kauffman

Kelly 27 Kennedy Kissell Koller Kreider

Lakin Lawson Leake Liese Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Merideth Monaco Murray O'Connor O'Toole

Ostmann Overschmidt Parker Ransdall Relford

Reynolds Rizzo Ross Scheve Schilling

Seigfreid Shelton 57 Skaggs Smith Stokan

Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 061

Akin Alter Ballard Barnett Bartelsmeyer

Berkstresser Boatright Burton Champion Cierpiot

Crawford Edwards-Pavia Elliott Enz Evans

Foster Froelker Gaskill Gibbons Graham 106

Gross Hall Hartzler 124 Hegeman Hohulin

Holand Howerton Kasten Kelley 47 Klindt

Legan Levin Linton Lograsso Long

Loudon Marble Miller Murphy Naeger

Nordwald Patek Pouche Pryor Purgason

Reinhart Richardson Ridgeway Robirds Sallee

Schwab Scott Secrest Sheldon 104 Shields

Steen Summers Surface Townley Vogel

Wannenmacher

PRESENT: 002

Bonner Chrismer

ABSENT WITH LEAVE: 005

Bennett Daniel 42 Ford Griesheimer Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

Representative Boucher requested a verification of the roll call on the motion to Truly Agree To and Finally Pass SS SCS HCS HBs 1519 & 1165, as amended.

BILLS IN CONFERENCE

CCR SCS HCS HB 1006, as amended, relating to appropriations, was taken up by Representative Scheve.

Representative Scheve submitted a technical correction to CCS SCS HCS HB 1006.

TECHNICAL CORRECTION TO CCS FOR SCS FOR HCS FOR HB 1006:

The following section was inadvertently omitted from CCS for SCS for HCS for HB 1006

Section 6.321. To the Department of Natural Resources

There is transferred from the State Treasury to the Natural Resources

Protection Fund - Water Pollution Permit Fee Subaccount,

One Million, Four Hundred Thousand Dollars ($1,400,000)

From General Revenue Fund $1,400,000

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Deleta Williams /s/ Harry Wiggins

/s/ May Scheve /s/ Wayne Goode

/s/ Bonnie Sue Cooper /s/ John T. Russell

/s/ Jim Graham /s/ Marvin Singleton

On motion of Representative Scheve, CCR SCS HCS HB 1006, as amended, was adopted by the following vote:

AYES: 130

Alter Auer Backer Barnett Barry 100
Bartelsmeyer Bartlett Bauer Bennett Berkstresser
Bland Bonner Boucher Bray 84 Burton
Campbell Carter Champion Clayton Cooper
Copeland Crump Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Elliott Evans Farnen Fitzwater Foley
Foster Franklin Fritts Gaskill Graham 106
Graham 24 Gratz Green Gunn Hagan-Harrell
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hickey Hilgemann Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Long Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murray
O'Connor O'Toole Ostmann Overschmidt Parker
Pouche Ransdall Reinhart Relford Reynolds
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 028

Akin Ballard Boatright Broach Chrismer
Cierpiot Crawford Edwards-Pavia Enz Froelker
Gaston Gibbons Griesheimer Gross Hall
Hendrickson Hohulin Linton Lograsso Loudon
Murphy Naeger Nordwald Patek Purgason
Richardson Ridgeway Treadway

PRESENT: 000

ABSENT WITH LEAVE: 004

Daniel 42 Ford Pryor Shear

VACANCIES: 001

On motion of Representative Scheve, CCS SCS HCS HB 1006 was read the third time and passed by the following vote:

AYES: 138

Alter Auer Barnett Barry 100 Bartelsmeyer

Bartlett Bauer Bennett Berkstresser Bland

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Graham 106 Graham 24

Gratz Green Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger O'Connor O'Toole Ostmann

Overschmidt Parker Pouche Ransdall Reinhart

Relford Reynolds Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 017

Akin Ballard Edwards-Pavia Enz Gaston

Gibbons Griesheimer Gross Hall Hohulin

Loudon Murphy Nordwald Patek Purgason

Richardson Treadway

PRESENT: 000

ABSENT WITH LEAVE: 007

Backer Daniel 42 Ford Gaskill Long

Pryor Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Riback Wilson, title to the bill was agreed to.

Representative Hilgemann moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1007, as amended, relating to appropriations, was taken up by Representative Scheve.

On motion of Representative Scheve, CCR SCS HCS HB 1007, as amended, was adopted by the following vote:

AYES: 137

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Burton

Campbell Carter Champion Chrismer Clayton

Cooper Copeland Crawford Crump Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Elliott Evans Farnen Fitzwater

Foley Foster Franklin Fritts Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Pouche Ransdall Reinhart Relford

Reynolds Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 019

Akin Ballard Boatright Broach Cierpiot

Edwards-Pavia Enz Froelker Hall Hendrickson

Hohulin Lograsso Loudon Murphy Naeger

Patek Purgason Richardson Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42 Dougherty Ford Kelly 27 Pryor

Shear

VACANCIES: 001

On motion of Representative Scheve, CCS SCS HCS HB 1007 was read the third time and passed by the following vote:

AYES: 148

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Pouche

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 008

Akin Ballard Boatright Edwards-Pavia Hall

Hohulin Loudon Patek

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42 Dougherty Ford Kelly 27 Pryor

Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1008, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, CCR SCS HCS HB 1008 was adopted by the following vote:

AYES: 134

Alter Auer Backer Barnett Barry 100
Bartelsmeyer Bartlett Bauer Bennett Berkstresser
Bland Boucher Bray 84 Burton Campbell
Carter Champion Chrismer Clayton Cooper
Copeland Crawford Crump Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Edwards-Pavia Elliott Farnen Fitzwater Foley
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Harlan Hartzler 123 Heckemeyer Hegeman Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Koller
Kreider Lakin Lawson Leake Legan
Liese Long Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Monaco Murray Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Pouche Purgason
Ransdall Reinhart Relford Reynolds Rizzo
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163
Thompson 37 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 021

Akin Ballard Boatright Broach Cierpiot
Enz Evans Hall Hartzler 124 Hendrickson

Klindt Levin Linton Lograsso Loudon

Miller Murphy Naeger Richardson Ridgeway

Robirds

PRESENT: 002

Bonner Patek

ABSENT WITH LEAVE: 005

Daniel 42 Dougherty Ford Pryor Shear

VACANCIES: 001

On motion of Representative Lakin, CCS SCS HCS HB 1008 was read the third time and passed by the following vote:

AYES: 143

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boatright Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Edwards-Pavia Elliott

Enz Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Pouche Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 72 Townley Treadway

Van Zandt Vogel Wannenmacher Wiggins Williams 159

Wilson Wooten Mr. Speaker

NOES: 008

Akin Ballard Evans Hall Loudon

Miller Murphy Robirds

PRESENT: 002

Bonner Patek

ABSENT WITH LEAVE: 009

Daniel 42 Dougherty Ford Kelly 27 Pryor

Shear Thompson 37 Troupe Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Kennedy, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1009, relating to appropriations, was taken up by Representative Troupe.

Representative Troupe moved that CCR SCS HCS HB 1009 be adopted.

Which motion was defeated by the following vote:

AYES: 069

Auer Backer Barry 100 Bartlett Bland

Boucher Campbell Carter Clayton Copeland

Crump Davis 122 Days DeMarce Dougherty

Farnen Fitzwater Foley Franklin Fritts

Graham 24 Gratz Green Hagan-Harrell Harlan

Heckemeyer Hickey Hilgemann Hollingsworth Hoppe

Hosmer Kelly 27 Kennedy Kissell Koller

Kreider Lakin Lawson Leake May 108

Mays 50 McBride McLuckie Monaco Murphy

Murray O'Toole Overschmidt Parker Ransdall

Relford Rizzo Scheve Schilling Seigfreid

Shelton 57 Skaggs Smith Stoll Stroker

Thomason 163 Thompson 72 Troupe Van Zandt Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 089

Akin Alter Ballard Barnett Bartelsmeyer

Bauer Bennett Berkstresser Boatright Bonner

Bray 84 Broach Burton Champion Chrismer

Cierpiot Cooper Crawford Daniels 41 Davis 63

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Ford Foster Froelker Gaskill

Gaston Gibbons Graham 106 Griesheimer Gross

Gunn Hall Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Johnson

Kasten Kauffman Kelley 47 Klindt Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble McClelland Merideth

Miller Naeger Nordwald O'Connor Ostmann

Patek Pouche Purgason Reinhart Reynolds

Richardson Ridgeway Robirds Ross Sallee

Schwab Scott Secrest Sheldon 104 Shields

Stokan Summers Surface Thompson 37 Townley

Treadway Vogel Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 004

Daniel 42 Pryor Shear Steen

VACANCIES: 001

Representative Troupe moved that the House refuse to adopt CCR SCS HCS HB 1009 and request the Senate to grant the House a further conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS SCS SB 722, relating to use of genetic information, was taken up by Representative Auer.

Representative Auer offered HS HCS SCS SB 722.

Representative Barry offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 1, In the Title, Line 2 of said page, by deleting the word "Relating" and inserting in lieu thereof the following: "To repeal section 595.105, RSMo 1994, and to enact in lieu thereof six new sections relating"; and

Further amend said bill, Page 1, Section 1, Line 7 of said page, by inserting before said line, the following:

"Section A. Section 595.105, RSMo 1994, is repealed and six new sections enacted in lieu thereof, to be known as sections 595.105, 1, 2, 3, 4 and 5, to read as follows:

595.105. Notwithstanding the provisions of subsection 1 of section 595.055 to the contrary, the director may allocate and distribute money in the fund to provide financial assistance to shelters for victims of domestic violence, and agencies that provide domestic violence or sexual assault direct services, emergency services, crisis intervention and victim advocacy.".

On motion of Representative Barry, House Amendment No. 1 was adopted.

Representative Stroker offered House Amendment No. 2.

Representative Loudon raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

HCS SCS SB 722, with HS, as amended, pending was laid over.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 29 - Correctional and State Institutions

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1246 - Miscellaneous Bills and Resolutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 709 - Elections

SS SCS SBs 771 & 687 - Children, Youth and Families

SS SB 910 - Children, Youth and Families

COMMITTEE REPORTS

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred HB 1614, begs leave to report it has examined the same and recommends that it Do Not Pass.

Committee on Motor Vehicle and Traffic Regulations, Chairman Thomason (163) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred SB 813 & SB 864, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on State Parks, Natural Resources and Mining, Chairman McBride reporting:

Mr. Speaker: Your Committee on State Parks, Natural Resources and Mining, to which was referred SCS SB 477, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1410

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Bill No. 1410, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Amendment No. 1;

2. That Conference Committee Amendment No. 1 be adopted; and

3. That House Bill No. 1410 with Conference Committee Amendment No. 1 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Bill Luetkenhaus /s/ Ted House

/s/ Carson Ross /s/ Betty Sims

/s/ Don Kissell /s/ Sidney Johnson

/s/ Chuck Graham /s/ Bill Kenney

/s/ T. Mark Elliott /s/ Danny Staples

Conference Committee Amendment No. 1

AMEND House Bill No. 1410, Page 1, In the Title, Line 2, by deleting the following: "section 301.142," and inserting in lieu thereof the following: "sections 301.142 and 301.143,"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 301.142 and 301.143, RSMo Supp. 1997, are repealed and two new sections enacted in lieu thereof, to be known as sections 301.142 and 301.143, to read as follows:"; and

Further amend said bill, Page 5, Section 301.142, Line 131, by inserting immediately after all of said line the following:

"301.143. 1. As used in this section, the term "vehicle" shall have the same meaning given it in section 301.010, and the term "physically disabled" shall have the same meaning given it in section 301.142.

2. Political subdivisions of the state may by ordinance or resolution designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142. Owners of private property used for public parking shall also designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142. Whenever a political subdivision or owner of private property so designates a parking space, the space shall be indicated by a sign upon which shall be inscribed the international symbol of accessibility and shall also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. The sign described in this subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "$50 to $300 fine.".

3. Any political subdivision, by ordinance or resolution, and any person or corporation in lawful possession of a public offstreet parking facility or any other owner of private property may designate reserved parking spaces for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142 as close as possible to the nearest accessible entrance. Such designation shall be made by posting immediately adjacent to, and visible from, each space, a sign upon which is inscribed the international symbol of accessibility, and may also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card.

4. The local police or sheriff's department may cause the removal of any vehicle not displaying a distinguishing license plate or card on which is inscribed the international symbol of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or card issued by any other state from a space designated for physically disabled persons if there is posted immediately adjacent to, and readily visible from, such space a sign on which is inscribed the international symbol of accessibility and may include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a card is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars. Any vehicle which has been removed and which is not properly claimed within thirty days thereafter shall be considered to be an abandoned vehicle.

5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated by political subdivisions in residential areas for the exclusive use of vehicles displaying a distinguishing license plate or card issued pursuant to section 301.071 or 301.142 shall meet the requirements of the federal Americans with Disabilities Act pursuant to this subsection and any such space shall have clearly and visibly painted upon it the international symbol of accessibility and any curb adjacent to the space shall be clearly and visibly painted blue.

6. Any person who, without authorization, uses a distinguishing license plate or card issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under authority of this section shall be guilty of an infraction and shall be subject to a fine of not less than fifty dollars nor more than three hundred dollars.

7. Law enforcement officials may enter upon private property open to public use to enforce the provisions of this section and section 301.142, including private property designated by the owner of such property for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142.

8. Nonconforming signs or spaces otherwise required pursuant to this section which are in use prior to August 28, 1997, shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs or spaces be extended by means other than those means used to maintain any sign or space on the owner's property which is not used for vehicles

displaying a disabled license plate.".

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1010

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1010, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1010, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1010, and the Conference Committee Substitute for House Bill No. 1010, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Dick Franklin /s/ Mike Lybyer

/s/ Paula Carter /s/ Harry Wiggins

/s/ Mike Schilling /s/ Wayne Goode

/s/ Charlie Shields /s/ John T. Russell

/s/ Gary Burton /s/ Marvin Singleton

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 986.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 996.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1228.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1309, entitled:

An act to amend chapter 351, RSMo, relating to corporations by adding thereto one new section relating to the merger of a domestic corporation with a direct or indirect wholy owned subsidiary without an election of shareholders.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1357.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1369, entitled:

An act to repeal section 260.819, RSMo Supp. 1997, relating to removal costs for oil spills, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1369, Page 2, Section 260.819, Line 13, by inserting after all of said line the following:

"5. Nothing herein shall limit a party's right to seek recovery of damages or removal costs from the federal Oil Spill Liability Trust Fund.".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1528, entitled:

An act to repeal section 301.380, RSMo 1994, and sections 57.280 and 57.290, RSMo Supp. 1997, and to enact in lieu thereof four new sections relating to the duties of sheriffs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1556, entitled:

An act to repeal sections 210.115 and 210.135, RSMo 1994, and section 210.109, RSMo Supp. 1997, relating to the child protection system established by the division of family services, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1571, entitled:

An act to repeal sections 362.600, 404.051, 404.550, 473.333, 475.130 and 475.190, RSMo 1994, and section 404.714, RSMo Supp. 1997, relating to the standards for financial transactions, and to enact in lieu thereof seven new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1578.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1705.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1805, entitled:

An act to authorize the governor to convey certain property to the city of St. Peters.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND House Bill No. 1805, Page 2, Section 1, Line 24, by adding after the end of said line the following:

"Section 2. 1. The governor is hereby authorized and empowered to give, grant, bargain, convey and confirm

an easement to Cole County over and across a certain strip of land in Cole County, Missouri, which is used by the department of corrections for the purpose of establishing and maintaining a public road. The land is more particularly described as follows:

A 60 foot-wide strip of land across part of the South Half of Section 19 and the North Half of Section 30, Township 45 North, Range 12 West, and the South Half of Sections 23 and 24, and the North Half of Sections 25 and 26, Township 45 North, Range 13 West, Cole County, Missouri; lying 30 feet each side of and adjacent to the following described centerline: From the northeast corner of said Section 26; thence S7018'26"W, 4079.03 feet to the centerline of Missouri State Route "T" and the point of beginning for this centerline description; thence northeasterly, on a curve to the left having a radius of 200.389 feet, an arc length of 83.181, the chord being N6223'30"E, 82.585 feet; thence N5030'00"E, 86.973 feet; thence northeasterly, on a curve to the left having a radius of 1500.00 feet, an arc length of 91.63 feet, the chord being N4845'00"E, 91.616 feet; thence N4700'00"E, 312.358 feet; thence northeasterly, on a curve to the left having a radius of 1100.00 feet, an arc length of 192.626 feet, the chord being N4159'00"E, 192.38 feet; thence N3658'00"E, 516.059 feet; thence northeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 181.66 feet, the chord being N5747'00"E, 177.689 feet; thence N7836'00"E, 287.442 feet; thence N7724'00"E, 317.086 feet; thence easterly, on a curve to the right having a radius of 250.00 feet, an arc length of 215.839 feet, the chord being S7752'00"E, 209.198 feet; thence S5308'00"E, 834.664 feet; thence southeasterly, on a curve to the right having a radius of 2000.00 feet, an arc length of 136.717 feet, the chord being S5110'30"E, 136.691 feet; thence S4913'00"E, 68.197 feet; thence southeasterly, on a curve to the left having a radius of 700.00 feet, an arc length of 122.173 feet, the chord being S5413'00"E, 122.018 feet; thence S5913'00"E, 352.725 feet; thence easterly, on a curve to the left having a radius of 400.00 feet, an arc length of 127.874 feet, the chord being S6822'30"E, 127.331 feet; thence S7732'00"E, 360.048 feet; thence easterly, on a curve to the left having a radius of 480.00 feet, an arc length of 212.511 feet, the chord being N8947'00"E, 210.78 feet; thence northeasterly, on a curve to the left having a radius of 527.00 feet, an arc length of 213.238 feet, the chord being N6530'30"E, 211.787 feet; thence N5355'00"E, 76.552 feet; thence northeasterly, on a curve to the left having a radius of 250.00 feet, an arc length of 117.81 feet, the cord being N4025'00"E, 116.723 feet; thence N2655'00"E, 632.281 feet; thence northeasterly, on a curve to the left having a radius of 2640.00 feet, an arc length of 289.515 feet, the chord being N2346'30"E, 289.37 feet; thence N2038'00"E, 178.286 feet; thence northeasterly, on a curve to the right having a radius of 260.00 feet, an arc length of 282.179 feet, the chord being N5143'30"E, 268.533 feet; thence N8249'00"E, 321.536 feet; thence northeasterly, on a curve to the left having a radius of 280.00 feet, an arc length of 247.685 feet, the chord being N5728'30"E, 239.689 feet; thence N3208'00"E, 197.124 feet; thence northeasterly, on a curve to the right having a radius of 880.00 feet, an arc length of 393.705 feet, the chord being N4457'00"E, 390.425 feet; thence N5746'00"E, 271.67 feet; thence N6022'00"E, 152.267 feet; thence easterly, on a curve to the right having a radius of 300.00 feet, an arc length of 197.135 feet, the chord being N7911'30"E, 193.607 feet; thence S8159'00"E, 305.488 feet; thence easterly, on a curve to the right having a radius of 670.00 feet, an arc length of 289.029 feet, the chord being S6937'00"E, 286.794 feet; thence S5716'00"E, 579.552 feet; thence easterly, on a curve to the left having a radius of 380.00 feet, an arc length of 242.63 feet, the chord being S7533'30"E, 238.529 feet; thence N8609'00"E, 256.043 feet; thence easterly, on a curve to the left having a radius of 2500.00 feet, an arc length of 128.718 feet, the chord being N8440'30"E, 128.704 feet; thence N8312'00"E, 305.712 feet; thence easterly, on a curve to the left having a radius of 2000.00 feet, an arc length of 121.591 feet, the chord being N8127'30"E, 121.573 feet; thence N7943'00"E, 138.046 feet; thence easterly, on a curve to the left having a radius of 450.00 feet, an arc length of 104.589 feet, the chord being N7303'30"E, 104.354 feet; thence N6624'00"E, 178.061 feet; thence easterly, on a curve to the right having a radius of 540.00 feet, an arc length of 259.967 feet, the chord being N8011'30"E, 257.464 feet; thence S8601'00"E, 131.584 feet; thence easterly, on a curve to the left having a radius of 555.00 feet, an arc length of 197.122 feet, the chord being N8348'30"E, 196.087 feet; thence N7338'00"E, 275.285 feet; thence easterly, on a curve to the left having a radius of 1500.00 feet, an arc length of 229.509 feet, the chord being N6915'00"E, 229.285 feet; thence N6452'00"E, 110.578 feet; thence easterly, on a curve to the right having a radius of 900.00 feet, an arc length of 355.00 feet, the chord being N7610'00"E, 352.702 feet; thence easterly, on a curve to the left having a radius of 894.2521 feet, an arc length of 199.1725 feet, the chord being N8105'10"E, 198.76 feet; thence N7442'20"E, 47.5321 feet; thence northeasterly, on a curve to the left having a radius of 457.4641 feet, an arc length of 141.3648 feet, the chord being N6551'10"E, 140.80 feet; thence northeasterly, on a curve to the left having a radius of 940.00 feet, an arc length of 260.857 feet, the chord being N4903'00"E, 260.021 feet; thence N4106'00"E, 163.764 feet; thence northeasterly, on a curve to the right having a radius of 600.00 feet, an arc length of 119.904 feet, the chord being N4649'30"E, 119.705 feet; thence N5233'00"E, 333.607 feet; thence northeasterly, on a curve to the left having a radius of 280.00 feet, an arc length of 120.137 feet, the chord being N4015'30"E, 119.217 feet; thence N2758'00"E, 332.647 feet; thence northeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 265.508 feet, the chord being N5823'30"E, 253.205 feet; thence N8849'00"E, 144.356 feet; thence easterly, on a curve to the right having a radius of 250.00 feet, an arc length of 88.43 feet, the chord being S8103'00"E, 87.97 feet; thence S7055'00"E, 95.001 feet; thence southeasterly, on a curve to the right having a radius of 900.00 feet, an arc length of 157.603 feet, the chord being S6554'00"E, 157.402 feet; thence S6053'00"E, 134.796 feet; thence S5812'00"E, 282.136 feet; thence southeasterly, on a curve to the left having a radius of 2000.00 feet, an arc length of 172.788 feet, the chord being S6040'30"E, 172.734 feet; thence S6309'00"E, 79.593 feet; thence southeasterly, on a curve to the right having a radius of 370.00 feet, an arc length of 149.173 feet, the chord being S5136'00"E, 148.165 feet; thence S4003'00"E, 201.554 feet; thence southeasterly, on a curve to the left having a radius of 400.00 feet, an arc length of 279.485 feet, the chord being S6004'00"E, 273.835 feet; thence S8005'00"E, 42.804 feet; thence southeasterly on a curve to the right having a radius of 195.973 feet, an arc length of 105.69 feet, the chord being S6438'00"E, 104.414 feet to the point of termination."; and

Further amend said bill by amending the titling and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SB 773, entitled:

An act to repeal section 197.317, RSMo Supp. 1997, relating to certificate of need moratorium dates, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HS HCS HB 1161, entitled:

An act repeal section 640.102, 640.115, 640.120, 640.125, 640.130, 644.101, 644.116 and 644.122, RSMo 1994, relating to public drinking water, and to enact in lieu thereof sixteen new sections relating to the same subject, with penalty provisions and an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 1 to Senate Amendment No. 5, Senate Amendment No. 5, as amended, and Senate Amendment No. 6.

Emergency clause adopted.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1161, Page 1, In the Title, Line 3, by inserting after "1994," the following: "and section 640.100, RSMo Supp. 1997,"; and

Further amend said bill and page, section A, line 2, by inserting after "1994," the following: "and section 640.100, RSMo Supp. 1997,".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1161, Page 14, Section 644.122, Line 42, by inserting immediately thereafter:

"644.509. In addition to those sums authorized prior to August 28, 1998, the board of fund commissioners of the state of Missouri, as authorized by section 37(e) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of fifteen million dollars in the manner and for the purposes set out in chapter 640, RSMo, and chapter 644."; and

further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1161, Page 2, Section 640.100, Line 13-15, by striking all of said lines and inserting in lieu thereof the following: "to the subject thereof. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated to administer and enforce sections 640.100 to 640.140 shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however, nothing in this section shall be interpreted to repeal or affect the validity of any rule adopted or promulgated

prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act."

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1161, Page 13, Section 644.042, Line 8, by inserting after said line the following: "As of July 1, 1998, the Department of Natural Resources shall not issue a permit for the operation of a solid waste processing facility or solid waste disposal area if the proposed site is within 2,500 feet of a losing stream or is within 2,500 feet of any water supply well, as that term is defined in section 256.603, RSMo., unless the applicant has provided to the department written consent to the operation of such facility that is signed by at least 75% of the owners of record of any well within the 2,500 feet.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1161, Page 1, In the Title, Line 4, by deleting the word "sixteen" and inserting in lieu thereof the word "seventeen"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "sixteen" and inserting in lieu thereof the word "seventeen"; and

Further amend said bill, Page 1, Section A, Line 5, by deleting the word and figure "and 644.122" and inserting in lieu thereof the following: ", 644.122 and 1"; and

Further amend said bill, Page 14, Section 644.122, Line 42, by inserting after all of said line the following:

"Section 1. 1. As used in this section, the following terms shall mean:

(1) "Marine sanitation device", any equipment on board a vessel which is designed to receive, retain, treat or discharge sewage, and any process to treat sewage on board. Marine sanitation device includes:

(a) Type I marine sanitation device, which produces an effluent having a fecal coliform bacteria count of not greater than one thousand per one hundred milliliters and no visible floating solids;

(b) Type II marine sanitation device, which produces an effluent having a fecal coliform bacteria count not greater than two hundred per one hundred milliliters and suspended solids not greater than one hundred fifty milligrams per liter; and

(c) Type III marine sanitation device, which is certified to a no-discharge standard, including recirculating and incinerating marine sanitation devices and holding tanks;

(2) "Sewage", human body wastes, and the wastes from toilets and other receptacles intended to retain body waste;

(3) "Vessel", every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water;

(4) "Y valve", a device capable of diverting the flow of marine sewage so that a vessel's marine sanitation device is bypassed and raw sewage is discharged directly into the water.

2. The following vessels equipped with an installed toilet shall be equipped with an operable marine sanitation device:

(1) A vessel sixty-five feet in length and under shall have a type I, II or III marine sanitation device; or

(2) A vessel over sixty-five feet in length shall have a type II or III marine sanitation device.

3. (1) A type I or II marine sanitation device shall have a certification label affixed that at a minimum shows:

(a) The name of the manufacturer;

(b) The name and model number of the device;

(c) The month and year of manufacture;

(d) The marine sanitation device type;

(e) A certification number; and

(f) A certification statement.

(2) A type III marine sanitation device is automatically certified and requires no label, provided it stores sewage and flushwater only at ambient air temperature and pressure.

4. While a vessel with an installed toilet is on Missouri waters, the operator shall ensure that:

(1) All pathways for overboard discharge of vessel sewage from any vessel with a type III marine sanitation device are blocked or secured in such a way as to prevent any accidental or intentional vessel sewage discharge, by disconnecting or physically blocking the onboard sewage lines or hull fittings which would allow for overboard vessel sewage discharge; and

(2) Any installed in-line Y valve shall be secured to prevent the overboard discharge of sewage from any vessel utilizing a type III marine sanitation device, by bypassing, locking, securing or disabling the valve using a padlock or nonreusable wire tie wrap, or by removal of the valve handle, or by any other method in accordance with federal regulations and standards or as approved or required by the Missouri state water patrol.

5. The chosen compliance method pursuant to subdivision (2) of subsection 4 of this section shall totally eliminate the possibility of overboard vessel sewage discharge while in waters of the state. The method chosen shall present a physical barrier to the use of the Y valve, whether accidental or intentional, so that use of the valve cannot occur without the knowledge of the operator of the vessel.

6. For any vessel offered as a noncaptained charter, the leasing entity shall:

(1) Ensure that the vessel complies with this section when presented to the lessor; and

(2) Include the lease agreement, signed by the leasing party, a paragraph outlining the operator's responsibilities pursuant to this section.

7. A person who violates the provisions of this section is subject to a civil penalty not to exceed two thousand dollars.".

Senate Amendment No. 1

to

Senate Amendment No. 5

AMEND Senate Amendment No. 5 to Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1161, Page 5, Section 1, Line 4 of said page, by inserting after said line the following:

"7. The provisions of this section shall not apply to any vessel operated upon the Mississippi River or the Missouri River."; and

renumber the remaining subsection accordingly.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1161, Page 12, Section 644.018, Line 1, by inserting immediately following the word "case" of said line the following: "or judicial proceeding";

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on SCS HB 927, as amended: Senators Maxwell, Quick, Clay, Bentley and Graves.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HB 1052 and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1090.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1120.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1158, entitled:

An act to repeal section 644.032, RSMo Supp. 1997, and section 15735, as said section last appeared in RSMo 1939, and dropped from RSMo 1949, pursuant to sections 3.030 and 3.040, RSMo 1949, relating to local parks, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1160.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1299.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1374.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1707.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1794.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HCS HBs 1681 & 1342, entitled:

An act to repeal sections 226.040 and 226.140, RSMo 1994, and section 226.005, RSMo Supp. 1997, relating to transportation, and to enact in lieu thereof four new sections relating to the same subject.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10 and Senate Amendment No. 11.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 and 1342, Page 5, Section 226.140, Line 13, by inserting immediately after said line the following:

"Section 1. 1. If a state agency for whom work is being performed by a contractor determines upon reasonable evidence that the contractor or a subcontractor engaged to complete work required by the contract hired one or more aliens who are unauthorized to work in the United States, the state agency shall order the contractor to cause the discharge of such unauthorized workers.

2. If upon reasonable evidence the state agency determines that a contractor or subcontractor has knowingly violated the Immigration Reform and Control Act of 1986, or its successor statute, in employing aliens unauthorized to work in the United States, the agency may cause up to twenty percent of the total amount of

the contract or subcontract performed by the employer of such unauthorized workers to be withheld from payment to the employer in violation of such statute.

3. If a contractor is determined by a state agency upon reasonable evidence to have engaged a subcontractor to complete work required by the contract with knowledge that the subcontractor violated or intended to violate the Immigration Reform and Control Act of 1986, or its successor statute, in hiring or continuing to employ aliens unauthorized to work in the United States, the state agency may withhold from the contractor up to double the amount caused to be withheld from payments to the subcontractor.

4. Any contractor or subcontractor from whom payment is withheld under subsections 2 or 3 of this section shall be ineligible to perform other contracts or subcontracts for the state of Missouri for a period of two years from the date of such action.

5. No state agency or contractor taking any action authorized by this section shall be subject to any claim arising from such action and shall be deemed in compliance with the laws of this state regarding timely payment."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 and 1342, Page 3, Section 21.795, Line 80, by inserting after all of said line the following:

"43.030. 1. The superintendent of the Missouri state highway patrol shall be appointed by the governor by and with the advice and consent of the senate. The superintendent shall hold office at the pleasure of the governor. The superintendent shall be a citizen of the United States and a resident taxpaying citizen of this state for a period of three years previous to being appointed as superintendent and shall be at least thirty years of age. The superintendent shall maintain an office and reside in Jefferson City.

2. The superintendent of the Missouri state highway patrol shall:

(1) Have command of the patrol and perform all duties imposed on the superintendent and exercise all of the powers and authority conferred upon the superintendent by the provisions of this chapter and the requirements of chapter 650, RSMo;

(2) Within available appropriations, establish an equitable pay plan for the members of the highway patrol and radio personnel taking into consideration ranks and length of service.

[3. The annual salary of members of the highway patrol and radio personnel shall be increased by the same percentage increase and lump sum increase granted to state merit employees covered by the provisions of chapter 36, RSMo. Such increases shall include only the cost-of-living portion of the pay plan appropriated for merit employees and shall be based upon the actual current salary.]"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 and 1342, Page 3, Section 21.795, Line 80, by inserting after all of said line the following:

"71.288. 1. [Any city that maintains the city engineer or other similar city official on the planning commission shall have the authority to place any restriction upon the height, spacing and lighting of outdoor advertising structures placed within the view of any highway within the city. Such ordinance may be more restrictive than sections 226.500 to 226.600, RSMo] Any city or county shall have the authority to adopt regulations with respect to outdoor advertising that are more restrictive than the height, size, lighting and spacing provisions of sections 226.500 to 226.600, RSMo.

2. No city [that elects to govern outdoor advertising structures as provided in subsection 1] or county shall have the authority to impose a fee of more than five hundred dollars for the initial inspection of an outdoor advertising structure, nor may the city or county impose a business tax on an outdoor advertising structure of more than [one hundred dollars per year] two per cent of the gross annual revenue produced by the outdoor advertising structure within that city or county."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 and 1342, Page 5, Section 226.140, Line 13, by inserting after all of said line the following:

"226.525. 1. The state highways and transportation commission is directed to erect within the right-of-way of all classes of highways within the state signs and notices pertaining to publicly and privately owned natural wonders and scenic and historical attractions under the following conditions:

(1) Such signs shall not violate any federal law, rule, or regulation affecting the allocation of federal funds to the state of Missouri or which violate any safety regulation formally promulgated by the state highways and transportation commission[.];

(2) Such official signs shall be limited in content to the name of the attraction and necessary travel information[.];

(3) Such signs shall be made available for any museum or officially designated historic site located within ten miles of a state or federal highway if such museum or historic site is open on a regular basis;

(4) The state highways and transportation commission shall determine those sites and attractions for which directional and other official signs may be erected as permitted by section 131 of Title 23, United States Code, which it deems of such importance as to justify such signing, using as a guide those publicly or privately owned natural wonders and scenic, historic, educational, cultural, or recreational sites which have been determined to be of general interest[.]; and

[(4)] (5) The state highways and transportation commission may require reimbursement for the cost of erection and maintenance of the official directional signs authorized hereunder when sites or attractions are privately owned by other than the state or political subdivisions. The state highways and transportation commission shall prescribe the size, number and locations of such signs based upon its determination of the travelers' need for directional information.

2. As used in this section, the term "museum" shall mean an institution located in this state and operated by a permanent business, nonprofit corporation, trust association, or public agency, operated primarily for educational, scientific, historical preservation or aesthetic purposes, which owns, borrows, cares for, studies, archives, or exhibits property. "Museum" includes, but is not limited to, libraries, botanical gardens, zoos, nature centers, planetariums, technology centers, arboretums, historic sites, art centers, and history, natural history and art museums. Any city or county may designate a community advisory board to determine eligibility for designated museums under this section.

226.535. 1. Signs, displays, and devices giving specific information of interest to the traveling public shall be erected and maintained within the right-of-way in such areas, in an appropriate distance from interchanges on the interstate system as shall conform with the rules and regulations promulgated by the highway department. Such rules shall be consistent with national standards promulgated from time to time by the appropriate authority of the federal government, pursuant to Title 23, section 131, paragraph f, of the United States Code.

2. Any logo sign program providing business information for motorists which is operated by the highways and transportation commission shall provide signs displaying the following services:

(1) Gas;

(2) Food;

(3) Attractions;

(4) Lodging; and

(5) Camping;

subject to the approval of the Federal Highway Administration and compliance with all federal requirements. The signs for lodging and camping may be combined. The commission shall take any action necessary to establish signs displaying local attractions, including application with the Federal Highway Administration for an experimental sign program.

3. The commission may adopt rules to implement a program for the erection and maintenance of tourist-oriented directional signs within the right-of-way of roads, except interstates and freeways, as designated by the Missouri highways and transportation commission. The tourist-oriented directional signs shall provide business identification and directional information for businesses, services, natural attractions and activities which, during a normal business season, derive a major portion of the income and visitors for the business or activity from motorists not residing in the immediate area of the business or activity. Businesses, services,

natural attractions and activities eligible for such tourist-oriented directional signs shall include, but not be limited to, caves, museums and wineries.

4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority of this section shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 and 1342, Page 3, Section 21.795, Line 80, by inserting after all of said line the following:

"4. The committee shall submit records of its meetings to the secretary of the senate and the chief clerk of the house of representatives in accordance with sections 610.020 and 610.023, RSMo.".

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 & 1342, Page 1, In the Title, Line 3, by inserting after "transportation" the following: "and transportation services"; and

Further amend said bill, page 3, section 21.795, line 80, by inserting after all of said line the following:

"190.044. 1. No taxpayer shall be required to pay property taxes for ground ambulance service to both an ambulance district and a fire protection district which operates a ground ambulance service, unless reaffirmed and authorized pursuant to this section. In the event that a taxpayer in a third class county is paying taxes to both entities to provide ground ambulance service, any taxpayer residing in the area subject to the double tax may file a petition with the county clerk in which the area, or greatest part thereof, is situated requesting that the double tax be eliminated and that the area only pay a tax to one entity.

2. Upon receipt of such petition, the county clerk shall determine the area taxed by two such entities and place the question before the voters of such area at the next state or municipal election. The petition shall request that the following question be submitted to the voters residing within the geographic limits of the area:

The . . . . . (description of area) is currently paying a tax to provide ambulance service to the . . . . . (name of entity created first) and the . . . . . (name of entity created second). As a result, shall the tax paid to provide ambulance service to the . . . . . (name of entity created second) be eliminated?

Yes No

3. If a majority of the votes cast are in favor of the elimination of the tax levied and collected by the entity providing ambulance service, then the remaining entity will be declared as the single taxing entity for the area in question. The taxpayers within the area shall thereafter only pay one tax to the remaining entity following a three-year period, over which the tax rate levied and collected shall be decreased by one-third each year until such tax is no longer levied or collected by the entity whose tax was proposed for elimination by the petition. If a majority of the votes cast are opposed to the elimination of the tax, then the tax shall be reaffirmed.

4. All costs incurred by the county clerk as a result of this section, including election costs, shall be paid by the entity whose tax was proposed for termination by the petition.

5. The boundaries and service area of the entities providing ambulance service will reflect the change as determined by the election.

190.100. As used in sections [190.100 to 190.190] 190.100 to 190.199, the following words and terms mean:

(1) "Advance life support (ALS)", an advanced level of care as provided to the adult and pediatric patient as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.100 to 190.199;

(2) "Ambulance", any privately or publicly owned [motor vehicle or, on or after January 1, 1988, any aircraft, if such motor vehicle or aircraft] vehicle or aircraft that is specially designed [or constructed and equipped and is intended to be used for and is maintained or operated for the transportation of patients, including dual-purpose police patrol cars and funeral coaches or hearses which otherwise comply with the provisions of sections 190.100 to 190.190], constructed or modified, staffed or equipped for, and is intended or used, maintained or operated for the transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or who require the presence of medical equipment being used on such individuals or medical personnel, but the term does not include any motor vehicle specially designed, constructed or converted for the transportation of persons [permanently disabled and] who are disabled, handicapped, normally using a wheelchair, or [handicapped persons] otherwise not acutely ill, or emergency vehicles [at] used within airports;

[(2) "Apprentice", any individual who is not a licensed attendant or attendant-driver, but who holds a certificate of apprenticeship issued by the license officer;

(3) "Attendant", a trained and qualified individual responsible for the operation of an ambulance and the care of the patients transported thereby whether or not the attendant also serves as driver;

(4) "Attendant-driver", a person who is qualified as an attendant and a driver;

(5) "Board", the state board of health of Missouri;

(6) "Dual-purpose police patrol car", a vehicle, operated by a police department, which is equipped as an ambulance, even though it is also used for patrol or other police purposes;

(7) "Emergency medical technician", any person who has successfully completed a course of training approved by the health officer and is certified by the health officer in preliminary emergency medical care;

(8) "Health officer", the director of the department of health of the state of Missouri or his duly authorized representative;

(9) "License officer", the director of the department of health of the state of Missouri or his duly authorized representative;

(10) "Local physician medical advisor" or "local physician medical advisory committee", a physician or group of physicians licensed pursuant to chapter 334, RSMo, appointed by the ambulance service and who meet criteria established by the department of health. The local physician medical advisor or local physician medical advisory committee shall have the responsibility to monitor prehospital medical care and ensure that prehospital standards of care and protocols are met;]

(3) "Ambulance service", a person or entity that provides emergency or nonemergency medical transportation and services, or both, in compliance with sections 190.100 to 190.199, and the rules promulgated by the department pursuant to sections 190.100 to 190.199;

(4) "Ambulance service area", a specific geographic area in which an ambulance service has been licensed to operate;

(5) "Basic life support", a basic level of care, as provided to the adult and pediatric patient as defined by the national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.100 to 190.199;

(6) "Department", the department of health, state of Missouri;

(7) "Director", the director of the department of health or the director's duly authorized representative;

(8) "Dispatch agency", any person or organization that receives requests for emergency medical services from the public, by telephone or other means, and is responsible for dispatching emergency medical services;

(9) "Emergency medical response agency", any person that uses public highways or streets to regularly provide a level of care that includes first response, basic life support or advanced life support, exclusive of patient transportation;

(10) "Emergency medical technician", a person licensed as an EMT-B or EMT-P by the department;

(11) "Emergency medical technician-basic" or "EMT-B", a person who has successfully completed a course of instruction in basic life support as prescribed by the department and is licensed by the department in accordance with standards prescribed by sections 190.100 to 190.199 and rules adopted by the department pursuant to sections 190.100 to 190.199;

(12) "Emergency medical technician-paramedic" or "EMT-P", a person who has successfully completed a course of instruction in advanced life support care as prescribed by the department and is licensed by the

department in accordance with sections 190.100 to 190.199 and rules adopted by the department pursuant to sections 190.100 to 190.199;

(13) "Emergency services", health care items and services furnished or required to screen and stabilize an emergency medical condition, which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider;

(14) "First responder", a person who has successfully completed an emergency first response course meeting or exceeding the national curriculum of the United States Department of Transportation and any modifications to such curricula specified by the department through rules adopted pursuant to sections 190.100 to 190.199 and who provides emergency medical care through employment by or in association with an emergency medical response agency;

(15) "Medical director", a physician licensed pursuant to chapter 334, RSMo, designated by the ambulance service or emergency medical response agency and who meets criteria specified in rules adopted by the department pursuant to sections 190.100 to 190.199;

(16) "Memorandum of understanding", an agreement between an emergency medical response agency or dispatch agency and an ambulance service or services within whose territory the agency operates, in order to coordinate emergency medical services;

[(11)] (17) "Patient", an individual who is sick, injured, wounded, diseased, or otherwise incapacitated or helpless, or dead, excluding deceased individuals being transported from or between private or public institutions, homes or cemeteries, and individuals declared dead prior to the time an ambulance is called for assistance;

[(12)] (18) "Person", as used in these definitions and elsewhere in sections 190.100 to 190.199, any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, [company, group of individuals acting together for a common purpose or organization of any kind, including any governmental agency other than the United States or the state of Missouri;

(13) "Mobile emergency medical technician", a licensed attendant who has been specially trained in emergency cardiac and noncardiac care, and who has successfully completed an emergency service training program certified by the health officer as meeting the requirements of sections 190.100 to 190.190.] municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, public trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user or provider;

(19) "Physician", a person licensed as a physician pursuant to chapter 334, RSMo;

(20) "Political subdivision", any municipality, city, county, city not within a county, ambulance district or fire protection district located in this state which provides or has authority to provide ambulance service; and

(21) "Protocol", a predetermined, written medical care guideline, which may include standing orders.

190.105. 1. No person, either as owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of the transportation of patients [upon the streets, alleys, or any public way or place of] in the state of Missouri unless [he] such person holds a currently valid license from the department for an ambulance service issued pursuant to the provisions of sections [190.100 to 190.195] 190.100 to 190.199.

2. No ambulance shall be operated for ambulance purposes, and no individual shall drive, attend or permit it to be operated for such purposes [on the streets, alleys, or any public way or place of] in the state of Missouri unless [it] the ambulance is under the immediate supervision and direction of a person who is holding a currently valid [license as an attendant-driver or attendant; except that, nothing in this section shall be construed to mean that a duly licensed registered nurse or a duly licensed physician be required to hold an attendant-driver or attendant license.] Missouri license as an emergency medical technician; except that nothing in this section shall be construed to mean that a duly registered nurse or a duly licensed physician be required to hold an emergency medical technician's license. Each ambulance service is responsible for assuring that any person driving its ambulance is competent in emergency vehicle operations and has a safe driving record.

3. [No person, as either owner, agent or otherwise, who holds a currently valid license for an ambulance, shall, incident to his business or service of transporting patients, transport, carry or convey patients in any vehicle other than an ambulance, but no such licenses] No license shall be required for an ambulance service, or for the emergency medical technician [attendant, attendant-driver, or certificated apprentice] of an ambulance, which:

(1) Is rendering assistance [to licensed ambulances in the case of a major catastrophe or emergency with which the licensed ambulances of that locality are insufficient or unable to cope] in the case of an emergency, major catastrophe or any other unforeseen event or series of events which jeopardize the ability of the ambulance service to promptly respond to emergencies; or

(2) Is operated from a location or headquarters outside of Missouri in order to transport patients who are picked up beyond the limits of Missouri to locations within or outside of Missouri, but no such outside ambulance service shall be used to pick up patients within Missouri for transportation to locations within Missouri, [except in emergency, unless the driver, attendant and attendant-driver and the person subject to the provisions of sections 190.100 to 190.195 in respect of such ambulance hold currently valid licenses issued pursuant to sections 190.100 to 190.195] except as provided in subdivision (1) of this subsection.

4. The issuance of a license under the provisions of sections [190.100 to 190.195] 190.100 to 190.199 shall not be construed so as to authorize any person[, firm, corporation, or association] to provide ambulance services or to operate any ambulances without a franchise in any [county, municipality or] political subdivision which has enacted an ordinance making it unlawful to do so.

5. Notwithstanding any law to the contrary, any person or entity that owned and operated a licensed ambulance on December 31, 1997, shall have the right to maintain as its ambulance service area, or similar designation, that geographic area which was, on December 31, 1997, described as the primary service area for its licensed vehicles, and any subsequent franchise requirements lawfully imposed by a political subdivision shall not limit or otherwise affect the ability of such person or entity to fully operate as it was operating on December 31, 1997, provided that the person or entity obtains an ambulance service license as set forth under this act.

6. A legally enforceable contract to provide emergency ambulance service for a political subdivision shall expand, without further action by the department, the ambulance service area of the licensed ambulance service under contract with the political subdivision to include the political subdivision for the term of the contract, provided the licensed ambulance service meets all other requirements for licensure under this act. Subsequent termination of the contract shall result in the corresponding reduction of such service area by removing such political subdivision from the ambulance service area of said ambulance service.

7. All ambulance services shall operate in accordance with state regulations. No provider of ambulance service within the state of Missouri which is licensed by the department to provide such service shall discriminate regarding treatment or transportation of emergency patients on the basis of race, sex, age, color, religion, sexual preference, national origin, ancestry, handicap, medical condition or ability to pay.

[5.] 8. Sections 190.100 to [190.195] 190.245 shall [not] preclude the adoption of any law, ordinance or regulation [not] in conflict with this statute by any county, municipality or political subdivision.

[6.] 9. An ambulance service when operated for the purpose of transporting persons who are sick, injured, or otherwise incapacitated shall not be treated as a common or contract carrier under the jurisdiction of the Missouri public service commission.

[7.] 10. Sections 190.100 to [190.195] 190.245 shall not apply to, nor be construed to include, any motor vehicle used by an employer for the transportation of [his] such employer's employees whose illness or injury occurs on private property, and not on a public highway, nor to any person operating such a motor vehicle.

190.108. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as the department deems necessary to be made of the applicant for an ambulance service license.

2. The department shall issue an ambulance service license, for a period of three years, if the applicant meets the requirements established pursuant to sections 190.100 to 190.199, and the rules adopted by the department. Except as provided in subsections 5 and 6 of section 190.105, before the department shall issue any new or expanded service area associated with any ambulance service license, the applicant must submit, at its sole cost and expense, a certification from each political subdivision in which it proposes to operate, that the proposed ambulance service:

(1) Provides benefits to the public health that outweigh the associated costs;

(2) Enhances the public's access to ambulance service; and

(3) Will coordinate with existing ambulance services.

3. The department may promulgate rules relating to the requirements for an ambulance service license, including but not limited to:

(1) Response, patient care and transportation standards;

(2) Vehicle design, specification, operation and maintenance standards;

(3) Equipment requirements;

(4) Staffing requirements;

(5) Licensure fees;

(6) Ambulance service areas;

(7) Records and forms;

(8) Medical control plans;

(9) Medical director qualifications;

(10) Standards for medical communications; and

(11) Memoranda of understanding with emergency medical response agencies that provide advanced life support.

4. Application for an ambulance service license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.100 to 190.199. The application form shall contain such information as the department deems necessary to make a determination as to whether the ambulance service meets all the requirements of sections 190.100 to 190.199 and rules promulgated pursuant to sections 190.100 to 190.199.

5. No fee will be required for an ambulance owned or operated by a political subdivision of the state.

[190.110. 1. An application for an ambulance license shall be made upon such forms as may be prepared or prescribed by the license officer and shall contain:

(1) The name and address of the applicant and of the owner of the ambulance;

(2) The trade or other fictitious name, if any, under which the applicant does business and proposes to do business;

(3) The training and experience of the applicant in the transportation and care of patients;

(4) A description of each ambulance, including the make, model, year of manufacture, motor and chassis number or other distinguishing number; current state license number; the length of time the ambulance has been in use; and the color scheme, insignia, name, monogram or other distinguishing characteristics to be used to designate applicant's ambulance;

(5) The location and description of the place from which it is intended to operate;

(6) Such other information as the license officer shall deem reasonably necessary to a fair determination of compliance with sections 190.100 to 190.195.

2. An annual license fee of twenty dollars shall accompany each application for each ambulance, but no fee will be required for an ambulance owned or operated by a political subdivision of the state.]

[190.115. 1. Each ambulance shall, at all times when in use as such:

(1) Be suitable for the transportation of patients from the standpoint of health, sanitation and safety, and be maintained in suitable premises;

(2) Contain equipment conforming with the standards, requirements and regulations provided for herein, which equipment shall be in proper and good condition for such use;

(3) Currently comply with all applicable laws and local ordinances relating to health, sanitation and safety;

(4) Be equipped with such lights, sirens and special markings to designate it as an ambulance as may be prescribed in reasonable regulations promulgated by the board;

(5) Be equipped with approved safety belts for the driver, and for a passenger in the front seat if such seat is provided;

(6) Be equipped with an approved safety belt for the attendant in the patient compartment and an approved restraining device for the litter and patient; and

(7) Be covered by an insurance policy in conformance with section 190.120.

2. Any change of ownership of a licensed ambulance shall terminate the license and shall require a new application and a new license and conformance with all the requirements of sections 190.100 to 190.195 as upon original licensing.

3. Application for transfer of any ambulance license to another or substitute vehicle shall require conformance with all the requirements of sections 190.100 to 190.195 as upon original licensing and approval of the licensing officer. No ambulance license may be sold, assigned, mortgaged or otherwise transferred without prior approval of the license officer and a finding by him of conformance with all the requirements of sections 190.100 to 190.195 as upon original licensing.

4. Each licensed ambulance, its equipment and the premises designated in the application and all records relating to its maintenance and operation as such, shall be open to inspection by the health officer or his designated representative during usual hours of operation.

5. No official entry made upon a license may be defaced, removed or obliterated.]

190.120. 1. No ambulance service license shall be issued [under] pursuant to sections [190.100 to 190.195] 190.100 to 190.199, nor shall such license be valid after issuance, nor shall any ambulance be operated in Missouri unless there is at all times in force and effect insurance coverage issued by an insurance company for each and every ambulance owned or operated by or for the applicant or licensee, or unless any city not within a county which owns or operates the license has at all times sufficient self-insurance coverage to provide for the payment of damages in an amount as prescribed [by the board] in regulation:

(1) For injury to or death of individuals in accidents resulting from any cause for which the owner of said vehicle would be liable on account of liability imposed on him by law, regardless of whether the ambulance was being driven by the owner or [his] the owner's agent; and

(2) For the loss of or damage to the property of another, including personal property, under like circumstances.

2. The insurance policy, or in the case of a self-insured city not within a county, proof of self-insurance, shall be submitted by all licensees required to provide such insurance [under] pursuant to sections [190.100 to 190.195] 190.100 to 190.199. The insurance policy, or proof of the existence of self-insurance of a city not within a county, shall be submitted to the [license officer] director, in such form as [he] the director may specify, for [his] the director's approval prior to the issuance of each ambulance service license.

3. Every insurance policy required by the provisions of this section shall contain or in the case of a self-insured city not within a county shall have proof of a provision for a continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon; that the liability of the insurer shall not be affected by the insolvency or the bankruptcy of the assured; and that until the policy is revoked the insurance company or self-insured city not within a county will not be relieved from liability on account of nonpayment of premium, failure to renew license at the end of the year, or any act or omission of the named assured. Such policy of insurance or self-insurance shall be further conditioned for the payment of any judgments up to the limits of said policy, recovered against any person other than the owner, [his] the owner's agent or employee, who may operate the same with the consent of the owner.

4. Every insurance policy or self-insured city not within a county as required by the provisions of this section shall extend for the period to be covered by the license applied for and the insurer shall be obligated to give not less than thirty days' written notice to the [license officer] director and to the insured before any cancellation or termination thereof earlier than its expiration date, and the cancellation or other termination of any such policy shall automatically revoke and terminate the licenses issued for the [ambulances] ambulance service covered by such policy unless covered by another insurance policy in compliance with sections [190.100 to 190.195] 190.100 to 190.199.

[190.125. 1. The license officer shall, upon receipt of an application for an ambulance license as provided for by the provisions of sections 190.100 to 190.195, cause such investigation as he deems necessary to be made of the applicant and of his proposed operations.

2. The license officer shall issue a license hereunder for a specified ambulance, to be valid for a period of one year, unless suspended, revoked or terminated, when he finds, upon proper notice and hearing:

(1) That the public convenience and necessity require the proposed ambulance service;

(2) That each ambulance, its required equipment and the premises designated in the application, have been certified by the health officer as provided herein;

(3) That the applicant is a responsible person who bears a good reputation for honesty, integrity, fair dealing, and is competent to operate an ambulance service;

(4) That the ambulance will be operated only by duly licensed attendants, attendant-drivers, and certificated apprentices;

(5) That all the requirements of sections 190.100 to 190.195 and all other applicable laws and ordinances have been met.

3. Prior to the issuance of any ambulance license hereunder, the license officer shall cause an inspection to be made of the vehicles, equipment and premises designated in each application hereunder, and shall certify his approval in a written report when he finds compliance with the standards prescribed in subdivision (1) of section 190.115, section 190.120 and in section 190.130, and with the regulations promulgated under such sections; but the license officer shall have no responsibility, and shall exercise no authority in connection with laws and ordinances of general applicability which deal with motor vehicle inspection.

4. Subsequent to the issuance of an ambulance license under the provisions of sections 190.100 to 190.195, the license officer shall cause a periodic inspection to be made of each licensed vehicle, and its equipment and

premises, whenever he deems such inspection to be necessary, and shall promptly file a written report of his findings with the department of health. The periodic inspection hereunder shall be in addition to any other safety or motor vehicle inspection required to be made for ambulances or other motor vehicles, or other inspections required to be made, under general law or ordinances, and shall not excuse compliance with any requirement of law or ordinance to display any official certificate of motor vehicle inspection and approval nor excuse compliance with the requirements of any other applicable general law or ordinance.

5. A copy of each ambulance, equipment and premises inspection report submitted by the license officer under the provisions of this section shall be promptly transmitted to the applicant or licensee to whom it refers.

6. The license officer may change periods to equalize work:

(1) Whenever he shall determine from an increase or decrease in the number of ambulance licenses in any given month, that the volume of clerical work and inspections of licensing of ambulances in such month has become so disproportionate to the volume of work in the remaining months, he is authorized and empowered to change the license period of such number of ambulances as may be necessary to increase or reduce the volume of licenses in one or more months by advancing the renewal date and shortening the license period of such ambulances.

(2) Such shifting of license months shall be accomplished by notifying the licensees of the change, giving them credit for the portion of the license period not yet elapsed. In such instances the license officer shall assign and issue a new license for the ambulance designating the new license expiration date.]

[190.130. Each licensee of an ambulance shall comply with such reasonable regulations as may be promulgated by the board and shall maintain in each such ambulance, at all times when it is in use as an ambulance, all equipment required in regulations promulgated by the board. In promulgating equipment regulations, the board shall take into consideration the current list of essential equipment for ambulances adopted by the American College of Surgeons.]

190.131. 1. The department shall accredit or certify training entities for first responders, emergency medical technicians-basic and emergency medical technicians-paramedic if the applicant meets the requirements established pursuant to sections 190.100 to 190.199, and the rules adopted by the department pursuant to sections 190.100 to 190.199, and fix reasonable application, accreditation and certification fees as are necessary to accomplish this purpose.

2. Such rules promulgated by the department shall set forth the minimum requirements for entrance criteria, training program curricula, instructors, facilities, equipment, medical oversight, recordkeeping, and reporting.

3. Application for training entity accreditation or certification shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.100 to 190.199. The application form shall contain such information as the department deems reasonably necessary to make a determination as to whether the training entity meets all requirements of sections 190.100 to 190.199 and rules promulgated pursuant to sections 190.100 to 190.199.

4. Upon receipt of such application for training entity accreditation or certification, the department shall determine whether the training entity, its instructors, facilities, equipment, curricula and medical oversight meet the requirements of sections 190.100 to 190.199 and rules promulgated pursuant to sections 190.100 to 190.199.

5. Upon finding these requirements satisfied, the department shall issue a training entity accreditation or certification in accordance with rules promulgated by the department pursuant to sections 190.100 to 190.199.

6. Subsequent to the issuance of a training entity accreditation or certification, the department shall cause a periodic review of the training entity to assure continued compliance with the requirements of sections 190.100 to 190.199 and all rules promulgated pursuant to sections 190.100 to 190.199.

7. No person or entity shall hold itself out or provide training required by section 190.131 without accreditation or certification by the department.

190.133. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as the department deems necessary to be made of the applicant for an emergency medical response agency license.

2. The department shall issue a license to any emergency medical response agency which provides advanced life support, for a period of three years, if the applicant meets the requirements established pursuant to sections 190.100 to 190.199, and the rules adopted by the department. The department may promulgate rules relating to the requirements for an emergency medical response agency, including, but not limited to:

(1) Licensure and relicensure;

(2) License fees;

(3) Medical direction;

(4) Records and forms; and

(5) Memorandum of understanding with local ambulance services and other operational procedures.

3. Application for an emergency medical response agency license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.100 to 190.199. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical response agency meets all the requirements of sections 190.100 to 190.199 and rules promulgated pursuant to sections 190.100 to 190.199.

4. No person or entity shall hold itself out or provide the services of an emergency medical response agency which provides advanced life support unless it is licensed by the department.

5. No fee will be required for an emergency medical response agency owned or operated by a political subdivision of the state.

190.134. A dispatch agency is required to have a memorandum of understanding with all ambulance services that it dispatches. If a dispatch agency provides prearrival medical instructions, it is required to have a medical director, whose duties include the maintenance of standards and protocol approval.

190.142. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician's license. The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of three years, if the applicant meets the requirements established pursuant to sections 190.100 to 190.199 and the rules adopted by the department. The department may promulgate rules relating to the requirements for emergency medical technician licensure, including but not limited to:

(1) Age requirements;

(2) Criminal history, meaning a final adjudication and finding of guilt, or the entering of a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States whether or not sentence is imposed pursuant to rules adopted by the department;

(3) Ability to speak, read and write the English language;

(4) Sound physique and possession of visual acuity, as found by a physician licensed under chapter 334, RSMo, upon examination attested to on a form provided by the department, conforming to that required for a chauffeur's license to be able to drive or attend an ambulance;

(5) Education and training requirements based on respective national curricula of the United States Department of Transportation and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.100 to 190.199;

(6) Initial licensure testing requirements;

(7) Continuing education and relicensure requirements; and

(8) Licensure fees.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.100 to 190.199. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.100 to 190.199 and rules promulgated pursuant to sections 190.100 to 190.199.

4. All emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of emergency medical technicians as determine by the requirements of sections 190.100 to 190.199 and in the rules adopted by the department;

(2) Consistent with acceptable standard of patient care for emergency medical technicians;

(3) Ordered by a physician or set forth in protocols approved by the medical director; and

(4) Consistent with the rules adopted by the department pursuant to sections 190.100 to 190.199.

5. Each ambulance, when in use as an ambulance, shall be staffed with a minimum of one emergency medical technician and one other crew member as set forth in rules adopted by the department. When transporting a patient, at least one licensed emergency medical technician, registered nurse, or physician shall be in attendance with the patient in the patient compartment at all times.

6. No person shall hold himself or herself out or provide the services of an emergency medical technician unless that person is licensed by the department.

7. No fee will be required for an emergency medical technician employed by a political subdivision of the state.

[190.140. Notwithstanding any other provision of sections 190.100 to 190.190, mobile emergency medical technicians may do any of the following at the scene of the accident in an ambulance or at the emergency room of a licensed hospital:

(1) Render rescue, first-aid and resuscitation services;

(2) Perform cardiopulmonary resuscitation and defibrillation in a pulseless, nonbreathing patient, and:

(a) For the cardiac arrest patient, the mobile emergency medical technician may initiate advanced cardiac life support procedures such as endotracheal intubation, initiation of intravenous lines, and administration of initial medications, according to current nationally acceptable emergency cardiac guidelines when approved by the department of health and the local physician medical advisor or local physician medical advisory committee;

(b) For the patient with severe, multisystem trauma or with compromised vital signs the mobile emergency medical technician may establish airway, apply and inflate the PAST garment, initiate intravenous therapy or administer initial medications according to protocols which have been approved by the department of health and the local physician medical advisor or local physician medical advisory committee;

(c) Notwithstanding the provisions of subdivision (4) of this section, procedures may be initiated pursuant to paragraphs (a) and (b) of this subdivision prior to any radio or telephone contact with a physician or registered nurse. After initiating procedures pursuant to paragraphs (a) and (b) of this subdivision, the mobile emergency medical technician shall immediately make radio or telephone contact with a physician or registered nurse designated by a physician;

(3) During training at the hospital and while caring for patients in the hospital administer parenteral medications under the direct supervision of a physician or a registered nurse; and

(4) Where voice contact or a telemetered electrocardiogram is monitored by a physician or a registered nurse authorized by a physician, and direct communication is maintained, mobile emergency medical technicians may upon order of such licensed physician or such licensed registered nurse do any of the following:

(a) Administer intravenous saline or glucose solutions;

(b) Perform gastric suction by intubation;

(c) Perform endotracheal intubation; and

(d) Administer parenteral injections of any of the following classes of drugs:

a. Antiarrhythmic agents;

b. Vagolytic agents;

c. Chronotropic agents;

d. Analgesic agents;

e. Alkalinizing agents;

f. Vasopressor agents; and

g. Other drugs which may be deemed necessary by such ordering physician;

(5) Deliver emergency medical care to the sick and injured while in the emergency department of a licensed hospital and until care responsibility is assumed by a licensed physician or a licensed registered nurse.]

[190.141. 1. Notwithstanding any other provisions of sections 190.100 to 190.190, emergency medical technicians may perform any of the following at the scene of an emergency or in an ambulance:

(1) Patient assessment and vital signs;

(2) Airway maintenance to include use of:

(a) Oropharyngeal and nasopharyngeal airways;

(b) Esophageal obturator airways with or without gastric suction device; and

(c) Oxygen demand valves;

(3) Oxygen therapy;

(4) Oropharyngeal suctioning;

(5) Cardiopulmonary resuscitation procedures;

(6) Control accessible bleeding;

(7) Application of pneumatic anti-shock garment;

(8) Management of outpatient medical emergencies;

(9) Extrication of patients and lifting and moving techniques;

(10) Management of musculoskeletal and soft tissue injuries to include dressing and bandaging wounds or the splinting of fractures, dislocations, sprains or strains and rendering first aid services;

(11) Use of backboards to immobilize the spine;

(12) Defibrillate a pulseless patient under the following conditions:

(a) Perform, when approved by the local physician medical advisor or local physician medical advisory committee and where voice contact by radio or telephone is monitored by a person licensed to practice medicine or a registered nurse, where authorized by a person licensed to practice medicine, and direct communication is maintained, upon order of such person or such nurse, defibrillation with an automatic external defibrillator with data recording capabilities; or

(b) Perform, during an emergency, that activity specified in paragraph (a) of this subsection, before contacting the person licensed to practice medicine and surgery or authorized registered nurse when specifically authorized to perform such activities by written protocols approved by the local physician medical advisory or local physician medical advisory committee and the department of health.

2. An employer of the paid or volunteer emergency medical technician shall have the same physician medical advisor or local physician advisory committee as the local licensed ambulance service, to review, approve and monitor the activities which include but are not limited to recordkeeping, equipment maintenance, quality assurance and operation standards of the emergency medical technician.]

[190.145. 1. The license officer shall, within a reasonable time after receipt of an application, cause such investigation as he deems necessary to be made of the applicant for an attendant's or attendant-driver's license. The director of the department of health may authorize investigations into criminal and driving records in other states for any applicant.

2. The license officer shall issue a license to an attendant or attendant-driver, valid for a period of three years, unless earlier suspended, revoked or terminated, when he finds that the applicant:

(1) Is eighteen years of age or older;

(2) Is not addicted to the use of intoxicating liquors or narcotics, and is morally fit for the position;

(3) Is able to speak, read and write the English language;

(4) Has been found by a duly licensed physician, upon examination attested to on a form provided by the health officer, to be of sound physique, possessing visual acuity conforming to that required for a chauffeur's license, and free of physical defects or diseases which might impair the ability to drive or attend an ambulance;

(5) For each applicant applying for relicensure for an attendant or attendant-driver's license, that such applicant has a currently valid certificate evidencing successful completion of a course of training, as presently defined by the state board of health through its rules and regulations in accordance with section 190.185 and chapter 536, RSMo. For each applicant applying for initial licensure for an attendant or attendant-driver's license, that such applicant has a currently valid certificate evidencing successful completion of a course of training as presently defined by the state board of health through its rules and regulations in accordance with section 190.185 and chapter 536, RSMo, which incorporates the curriculum of the EMT-basic training for ambulance personnel recommended by the United States Department of Transportation. No one shall be licensed as an attendant-driver unless he holds a currently valid motor vehicle operator's license from the state of Missouri or another state; and

(6) For each applicant applying for relicensure for a mobile emergency medical technician's license, that such applicant meets the requirements for attendant, subdivisions (1) to (5) of this subsection, and in addition has a currently valid certificate evidencing successful completion of a course of training, as presently defined by the state board of health through its rules and regulations in accordance with section 190.185 and chapter 536, RSMo. For each applicant applying for initial licensure for a mobile emergency medical technician's license, that such applicant has a currently valid certificate evidencing successful completion of a course of training as presently defined by the state board of health through its rules and regulations in accordance with section 190.185 and chapter 536, RSMo, which incorporates the curriculum of the EMT-paramedic training for ambulance personnel recommended by the United States Department of Transportation.

3. A license as attendant mobile emergency medical technician or attendant-driver is not assignable or transferable.

4. No official entry made upon a license may be defaced, removed or obliterated.

5. Notwithstanding anything herein to the contrary, ground ambulance services located in a city not within a county may maintain their ambulance service areas, and nothing in this section shall authorize the limitation or other restriction of the ambulance service area of ground ambulance services located in a city not within a county.] [190.150. 1. An application for a certificate of apprenticeship shall be made upon such forms as may be prepared or prescribed by the license officer and shall contain:

(1) The applicant's full name, current residence and the addresses of all places of residence for two years previous to his present address;

(2) The applicant's age, height, weight, color of eyes and hair;

(3) The applicant's current operator's or chauffeur's license number;

(4) Whether his operator's or chauffeur's license has ever been suspended or revoked, and if so, when and where and for what cause;

(5) Whether he has ever been convicted of a felony or misdemeanor, and if so, when and where and for what cause;

(6) Whether he has ever been convicted of driving while intoxicated, and if so, when and where;

(7) Whether he has ever been convicted of any moving motor vehicle violation, and if so, when and where and for what cause;

(8) The applicant's training and experience in the transportation and care of patients, and whether he has previously been licensed as a chauffeur, attendant, or attendant-driver, and if so, when and where, and whether his license has ever been revoked or suspended in any jurisdiction and for what cause;

(9) A description of the apprenticeship in which the applicant is currently engaged, or which is proposed, including a detailed description of the training which the applicant will receive, the location of the training, the names and qualifications of all instructors or supervising personnel, and the approximate length of the apprenticeship;

(10) Two recent photographs of the applicant, of a size designated by the license officer, one of which shall be attached by the license officer to the certificate of apprenticeship;

(11) Such other information as the licensing officer shall deem reasonably necessary to be a fair determination of compliance with sections 190.100 to 190.195.

2. Each application shall be accompanied by a certificate fee of three dollars, but no fee will be required for applicants who are employed for such duties by the state or a political subdivision of the state.]

[190.155. 1. The license officer shall, within a reasonable time after receipt of an application, cause such investigation as he deems necessary to be made of the applicant for a certificate of apprenticeship.

2. The license officer shall issue a certificate of apprenticeship, for not more than one year, unless earlier suspended, revoked or terminated, when he finds that the applicant:

(1) Is eighteen years of age or older;

(2) Is not addicted to the use of intoxicating liquors or narcotics, and is morally fit for the position;

(3) Is able to speak, read and write the English language;

(4) Has been found by a duly licensed physician, upon examination attested to on a form provided by the health officer, to be of sound physique, and free of physical defects or diseases which might impair the ability to attend an ambulance; and

(5) Is engaged in or proposes to be engaged in a course of training, the successful completion of which will be equivalent to completion of an advanced course in first aid given by the American Red Cross or the United States Bureau of Mines.]

190.160. The renewal of any license shall require conformance with [all the requirements of sections 190.100 to 190.195 as upon original licensing] sections 190.100 to 190.199 and rules adopted by the department pursuant to sections 190.100 to 190.199, as upon original licensing.

190.165. 1. The [license officer may] department may deny a license or license renewal application, or suspend or revoke a license issued under the provisions of sections [190.100 to 190.195] 190.100 to 190.199 for failure of a licensee to comply with the provisions of sections [190.100 to 190.195] 190.100 to 190.199, or of regulations

promulgated hereunder, or of any other applicable laws or ordinances or regulations, or [he] the department may place the licensee on probation for any of the same reasons.

2. [The initial or other ambulance, equipment and premises inspection reports of the health officer provided for by the provisions of sections 190.100 to 190.195 shall be prima facie evidence of compliance or noncompliance with, or violation of, the provisions, standards and requirements provided herein, and of the regulations promulgated hereunder, for the licensing of ambulances.] Grounds for taking action may include but are not limited to:

(1) Incompetency;

(2) Gross negligence or repeated negligence;

(3) Falsifying any application or record required pursuant to sections 190.100 to 190.199;

(4) Being finally adjudicated and found guilty, or entering a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States whether or not sentence is imposed, pursuant to rules adopted by the department; or

(5) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any person licensed or regulated by this chapter.

3. Upon suspension, revocation or termination of an ambulance service or emergency medical response agency license hereunder, no person shall be permitted to operate [the] such ambulance service or emergency medical response agency, provided an alternate ambulance service or agency is available for the area served by the entity being disciplined. Upon suspension, revocation or termination of an [attendant's or attendant-driver's] EMT-B or EMT-P license, the [attendant or attendant-driver] EMT-B or EMT-P shall cease to [drive or attend an ambulance, and no person shall employ or permit such individual to drive or attend an ambulance] function as an EMT-B or EMT-P.

4. Any license suspended, revoked or terminated under any provision of sections [190.100 to 190.195] 190.100 to 190.199 will be returned to the [license officer] department within ten days of such suspension, revocation or termination.

190.171. Any person aggrieved by an official action of the department of health affecting the licensed status of a person under the provisions of sections [190.100 to 190.195] 190.100 to 190.199, including the refusal to grant, [the grant,] the revocation, the suspension, or the failure to renew a license, may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section 621.045, RSMo, and it shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department [of health of or the department of social services].

190.175. 1. Each [licensee of an ambulance] ambulance service licensee or emergency medical response agency licensee shall maintain accurate records, which contain [the following] information concerning the care and, if applicable, the transportation of each patient [within the state of Missouri, from one place herein to another place within or beyond its limits:].

[(1) Each ambulance licensee will maintain a daily log to contain such data as the license officer may prescribe on each and every ambulance run which he or a duly authorized agent accepts;

(2) The entries will be consecutive, with no blank spaces or blank paper.] 2. Records will be maintained by [the ambulance licensee] ambulance service licensees and emergency medical response agency licensees for five years, readily available for inspection by [the license officer] the department, notwithstanding transfer, sale or discontinuance of the ambulance services or business[;].

[(3) Trip tickets] 3. An ambulance report, approved by the department, shall be completed for each ambulance run on which are entered pertinent remarks by the [ambulance attendant, or attendant-driver, signed instructions of the physician requesting special service, official receipt for patient at destination,] emergency medical technician and such other items as [the license officer may prescribe] adopted by rules by the department.

[2.] 4. Such records shall be available for inspection by the [health officer] department at any reasonable time during business hours.

5. Nothing in this section shall be construed as protecting from disclosure or discovery, in any civil action, information and documents otherwise discoverable from any person or entity providing information to the department pursuant to the provisions of this section.

190.176. 1. The department shall develop and administer a uniform data collection system on all ambulance runs and injured patients, as adopted in rules by the department for the purpose of injury etiology, patient care outcome, injury prevention and research purposes. The department shall not require disclosure by hospitals of data elements pursuant to this section unless those data elements are required by a federal agency or were submitted to the department as of January 1, 1997, pursuant to:

(1) Departmental regulation of trauma centers; or

(2) The Missouri head and spinal cord injury registry established by sections 192.735 to 192.745, RSMo; or

(3) Abstracts of inpatient hospital data; or

(4) If such data elements are requested by a lawful subpoena or subpoena duces tecum.

2. The department shall maintain the confidentiality of all medical record information abstracted by or reported to the department. Medical information secured pursuant to the provisions of subsection 1 of this section may be released by the department only in a statistical aggregate form that precludes and prevents the identification of patient, physician, or medical facility except that medical information may be shared with other public health authorities and coinvestigators of a health study if they abide by the same confidentiality restrictions required of the department. The department, public health authorities, and coinvestigators shall use the information collected only for purposes provided for in this section.

3. No individual or organization providing information to the department in accordance with this section shall be deemed to be or shall be held liable, either civilly or criminally, for divulging confidential information unless such individual or organization acted in bad faith or with malicious purpose.

190.180. 1. Any person violating, or failing to comply with, the provisions of sections [190.100 to 190.195] 190.100 to 190.199 is guilty of a class B misdemeanor and, upon conviction thereof, shall be [fined an amount not exceeding one thousand dollars or imprisonment for a period not exceeding thirty days, or by both such fine and imprisonment] sentenced to pay a fine in accordance with chapter 560, RSMo, or to imprisonment in accordance with chapter 558, RSMo, or by both such fine and imprisonment, for each offense.

2. Each day that any violation of, or failure to comply with, sections [190.100 to 190.195] 190.100 to 190.199 is committed or permitted to continue shall constitute a separate and distinct offense and shall be punishable as such hereunder; but the court may, in appropriate cases, stay the cumulation of penalties.

3. The attorney general of Missouri shall have concurrent jurisdiction with any and all prosecuting attorneys to prosecute persons in violation of sections [190.100 to 190.195] 190.100 to 190.199, and the attorney general or prosecuting attorney may institute injunctive proceedings against any person operating an ambulance service in violation of sections [190.100 to 190.195] 190.100 to 190.199.

4. The prosecuting attorney for the county in which the violation of a law or ordinance regarding emergency medical services occurs shall prosecute such violations in the circuit court of that county. The legal officer or attorney for the ambulance district may be appointed by the prosecuting attorney as special assistant prosecuting attorney for the prosecution of any such violation.

190.185. The [state board of health of Missouri] department of health shall adopt, amend, promulgate, and enforce such rules, regulations and standards [with respect to all ambulances, ambulance services, attendant mobile emergency medical technicians, attendant-drivers, and certified apprentices] as to ambulance services, emergency medical technicians, and emergency medical response agencies to be licensed and training entities for first responders and emergency medical technicians to be accredited under the provisions of sections [190.093 to 190.249, and all emergency medical technicians to be certified under the provisions of section 190.093 to 190.249] 190.093 to 190.199, as may be designed to further the accomplishment of the purpose of this law in promoting safe and adequate ambulance services in the interest of public health, safety, and welfare. [No rule or portion of a rule promulgated under the authority of sections 190.093 to 190.249 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.] Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority delegated in sections 190.100 to 190.199 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. All rulemaking authority delegated prior to the effective date of this section is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to the effective date of this section if it fully complied with the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

[190.190. Any ambulance, attendant or attendant-driver which is engaged in the business or service of the transportation of patients at the time of the promulgation of any applicable rule or regulation or minimum standard under this law shall be given a reasonable time under the particular circumstances, not to exceed six months from the date of such promulgation, within which to comply with such rules and regulations and minimum standards.]

190.197. 1. All ambulance vehicles or aircraft that have or are qualified to have a valid license issued by the department of health on the day that sections 190.100 to 190.199 take effect will have their ambulance vehicle or aircraft license expiration date extended to a date that is one year after the effective date of sections 190.100 to 190.199.

2. All ambulance services shall have until one year after the effective date of sections 190.100 to 190.199 to comply with the provisions of 190.100 to 190.199 and the rules developed pursuant to sections 190.100 to

190.199. Pursuant to sections 190.100 to 190.199 the department may adjust the initial period of licensure, from one year to three years, of any ambulance service licensed pursuant to sections 190.100 to 190.199, to equalize the number of licenses that may be renewed during each year of any three year licensure period.

3. License fees shall be pro rata for any ambulance service license issued by the department with an adjusted license period.

190.199. Any person who has had appropriate training, including a course in cardiopulmonary resuscitation and has demonstrated a proficiency in the use of an automated external defibrillator, and who gratuitously and in good faith renders emergency care when medically appropriate by use of or provision of an automated external defibrillator, without objection of the injured victim or victims thereof, shall not be held liable for any civil damages as a result of such care or treatment, where the person acts as an ordinarily reasonable, prudent person, or with regard to a health care professional, as a reasonably prudent and careful health care provider would have acted, under the same or similar circumstances. Nothing in this section shall affect any claims brought pursuant to chapters 537 and 538, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 & 1342, Page 2, Section 21.795, Line 18, by deleting the words "October fifteenth" and inserting in lieu thereof the words "November tenth"; and

Further amend said bill, Page 2, Section 21.795, Line 31, by deleting the word "by" and inserting in lieu thereof the words "made by, or on behalf of,"; and

Further amend said bill, Page 5, Section 226.140, Line 13, by inserting after all of said line the following:

"3. The state auditor shall, to the extent practicable, utilize the data and information developed for, and provided by, the report required pursuant to subdivision (1) of subsection 2 of section 21.795, RSMo, when performing an audit authorized by section 29.210, RSMo.".

Senate Amendment No. 8

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 & 1342, Page 4, Section 226.140, Line 13, by inserting after all of said line the following:

"Section 1. In any contested case or judicial proceeding filed after January 1, 1998 involving surface water in any flood prone area, the proper permitting of a project shall be conclusive proof that the project is a reasonable use and meets any reasonable use test imposed by law or by a court if any defendant has:

(1) Obtained and fully complied with a permit from a political subdivision which has enacted orders or ordinances as required by the Federal Emergency Management Agency as a prerequisite to participation in the National Flood Insurance Program, and which political subdivision has jurisdiction, pursuant to the zoning laws of this state or the laws and regulations of the Federal Emergency Management Agency, over the area in dispute; or

(2) Obtained and fully complied with a permit from a state agency which has jurisdiction over a state project or development in dispute under state law, any implementing regulations or executive orders or the laws and regulations of the Federal Emergency Management Agency."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 & 1342, Page 3, Section 21.795, Line 80, by inserting after all of said line the following:

"213.060. 1. Notwithstanding any law, anything having effect of law, executive order, policy or rule to the

contrary, any executive order, policy or rule which uses race, sex, color, ethnicity or national origin as a criterion for either discriminating against, or granting preferential treatment to, any individual or group of persons in the Missouri department of transportation system of public contracting is hereby declared to be null and void. Henceforth, no policy or rule adopted by the Missouri department of transportation or its agents, or executive order pertaining to the Missouri department of transportation shall be adopted which shall use race, sex, color, ethnicity or national origin as a criterion for either discriminating against, or granting preferential treatment to, any individual or group of persons in the Missouri department of transportation system of public contracting, unless the Missouri department of transportation or its agents has made a finding, which shall be included in the executive order relating to the department, policy or rule, and which shall be supported by strong basis in evidence that:

(1) The Missouri department of transportation is exacerbating a pattern of prior discrimination and such evidence is specific to the claimed discrimination within the institution, industry or jurisdiction;

(2) The executive order, policy or rule is a narrowly tailored remedial action that furthers a compelling governmental interest; and

(3) The remedial action shall sunset when the discrimination is eliminated but no later than two years after implementation.

2. Nothing in this section shall be interpreted as prohibiting state action that is necessary to establish or maintain eligibility for any federal program, where ineligibility would result in a loss of federal funds to the state.

3. Anyone adversely affected by any law, executive order or rule in violation of this act, or any Missouri taxpayer, shall have standing to bring a suit to enforce the provisions of this act and, if successful in whole or in part, against the Missouri department of transportation or its agents shall be entitled to an award of costs of suit, and reasonable attorneys fees. Nothing in this section shall require the exhaustion of any administrative remedies."; and

Further amend said bill, page 5, section 226.140, line 13, by inserting after all of said line the following:

"[226.900. The commission shall develop specific goals for minority employment and training and the use of minority-owned construction companies. The commission shall annually provide a report to the general assembly on or before June fifteenth of each year. The report shall, at a minimum, provide detailed information which indicates the progress made in achievement of the specific goals established under this section.]

[226.905. A minimum of ten percent of all contracts entered into by the Missouri highways and transportation commission in the design and construction of projects financed in whole or in part with federal funds shall be entered into with minority-owned construction companies or businesses. If there are not a sufficient number of qualified minority business enterprises in a geographic area to meet the ten percent goal established in this section, then the contract recipient shall make a good faith effort to solicit and use subcontracts with minority business enterprises located within reasonable proximity to the geographic area in order to meet the ten percent goal established in this section or increase minority business enterprise participation in other projects.]

[226.907. 1. The provisions of sections 226.900 and 226.905 shall not apply to any contracts necessitated by damage inflicted in the flood of 1993.

2. If the report required by section 226.900 certifies that the ten percent goal has been achieved, the provisions of section 226.905 and this section dealing with minority-owned construction companies shall become null and void.]

[226.910. If the United States Secretary of Transportation determines that sections 226.900 to 226.907 have the effect of placing the state of Missouri in noncompliance with any federal constitutional, statutory or regulatory provision that would result in the loss of any federal aid funds to the Missouri highways and transportation commission, then sections 226.900 to 226.907 shall be null and void.];

further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 & 1342, Page 2, Section 21.795, Line 34, by inserting after all of said line the following:

"(d) Total state and federal revenue compared to the revenue estimate in the fifteen-year-highway plan as adopted in 1992;".

Senate Amendment No. 11

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 & 1342, Page 5, Section 226.140, Line 13, by inserting after all of said line the following:

"226.270. 1. The [said state highways and transportation] department of transportation or other body designated by law to have charge of the state highways of the state of Missouri in case they desire to condemn the lands, property and plants described in sections 226.240 to 226.270 shall proceed in condemnation of said properties in accordance with the provisions of chapter 523, RSMo, so far as is applicable to said [state highways and transportation] department of transportation.

2. Notwithstanding any other provisions of law to the contrary, if the department of transportation acquires any real property pursuant to the authority of sections 226.240 to 226.270, for the purpose of any highway right-of-way including, but not limited to, access roads, exit ramps and outer roads, and the department attempts to divest itself of title, then any person who was the owner or joint owner of such property and who held title to the land immediately prior to the time the department acquired such property, or such person's heirs, shall have a right of first refusal to repurchase the property at a price not to exceed the amount which was paid to the person by the department for such property. The provisions of this subsection shall be retroactive in their operation with respect to any real property the department holds title to on the effective date of this act which was acquired pursuant to the authority of sections 226.240 to 226.270.

226.967. From the date the commission gives notice of probable intent to acquire the whole or any part of the subject property which is within the highway corridor, or is deemed to have given such notice, the regulatory authority shall take no action to approve the property owner's application or request for a further period of one hundred twenty days. If the commission does not acquire, agree to acquire, or commence an action in circuit court to condemn the property within this one hundred twenty-day period, the regulatory authority shall then be free to act upon the pending application in such manner as may be provided by law. If the location of a corridor is changed after property is acquired by the commission, the person from whom the property was acquired, or such person's heirs, shall have [the] a right of first refusal to reacquire the property [at a cost of not more than the compensation paid by the commission to such person for the property] pursuant to section 226.270."; and

Further amend the title and enacting clause accordingly.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1748, entitled:

An act to repeal sections 294.011 and 294.030, RSMo Supp. 1997, relating to child labor, and to enact in lieu thereof two new sections relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1748, Page 2, Section 294.011, Line 22, by striking the semi-colon ";" and inserting in lieu thereof a period "."; and

Further amend said bill, Page 2, Section 294.011, Lines 23-25, by striking all of said lines; and

Further amend said bill, Page 2, Section 294.030, Line 13, by striking the words "or exposition".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on HCS SB 739: Senators McKenna, Staples, Jacob, Bentley and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 955.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 968.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1046, entitled:

An act to amend chapter 610, RSMo, relating to certain governmental records, by adding thereto one new section relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1046, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following: "To repeal section 660.317, RSMo Supp. 1997, relating to criminal background checks, and to enact in lieu thereof two new sections relating to the same subject."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Section 660.317, RSMo Supp. 1997, is repealed and two new sections enacted in lieu thereof, to be known as sections 610.103 and 660.317, to read as follows:"; and

Further amend said bill, Page 1, Section 610.103, Line 8, by inserting after all of said line the following:

"660.317. 1. For the purposes of this section, the term "provider" means any person, corporation or association who:

(1) Is licensed as an operator pursuant to chapter 198, RSMo;

(2) Provides in-home services under contract with the department;

(3) Employs nurses or nursing assistants for temporary or intermittent placement in health care facilities; or

(4) Is an entity licensed pursuant to chapter 197, RSMo;

(5) Is a public or private facility, day program, residential facility or specialized service operated, funded or licensed by the department of mental health.

2. For the purpose of this section "patient or resident" has the same meaning as such term is defined in section 43.540, RSMo.

3. Beginning August 28, 1997, not later than two working days of hiring any person for a full-time, part-time or temporary position to have contact with any patient or resident the provider shall, or in the case of temporary employees hired through an employment agency, the employment agency shall prior to sending a temporary employee to a provider:

(1) Request a criminal background check as provided in section 43.540, RSMo. Completion of an inquiry to the highway patrol for criminal records that are available for disclosure to a provider for the purpose of conducting an employee criminal records background check shall be deemed to fulfill the provider's duty to conduct employee criminal background checks pursuant to this section; except that, completing the inquiries pursuant to this subsection shall not be construed to exempt a provider from further inquiry pursuant to common law requirements governing due diligence; and

(2) Make an inquiry to the department of social services, whether the person is listed on the employee disqualification list as provided in section 660.315.

4. When the provider requests a criminal background check pursuant to section 43.530, RSMo, the requesting entity may require that the applicant reimburse the provider for the cost of such record check.

5. An applicant for a position to have contact with patients or residents of a provider shall:

(1) Sign a consent form as required by section 43.540, RSMo, so the provider may request a criminal records review;

(2) Disclose the applicant's criminal history. For the purposes of this subdivision "criminal history" includes any conviction or a plea of guilty to a misdemeanor or felony charge and shall include any suspended imposition of sentence, any suspended execution of sentence or any period of probation or parole; and

(3) Disclose if the applicant is listed on the employee disqualification list as provided in section 660.315.

6. A provider is guilty of a class A misdemeanor if the provider knowingly hires a person to have contact with patients or residents and the person has been convicted of, pled guilty to or nolo contendere in this state or any other state or has been found guilty of [any] a crime, which if committed in Missouri would be a class A or B felony violation of chapter 565, 566 or 569, RSMo, or any violation of subsection 3 of section 198.070, RSMo, or section 568.020, RSMo.

7. The highway patrol shall examine whether protocols can be developed to allow a provider to request a statewide fingerprint criminal records review check through local law enforcement agencies.

8. A provider may use a private investigatory agency rather than the highway patrol to do a criminal history records review check, and alternatively, the applicant pays the private investigatory agency such fees as the provider and such agency shall agree.

9. The department of social services shall promulgate rules and regulations to waive the hiring restrictions pursuant to this section for good cause. For purposes of this section, "good cause" means the department has made a determination by examining the employee's prior work history and other relevant factors that such employee does not present a risk to the health or safety of residents.".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1088, entitled:

An act relating to blind and visually impaired students.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND House Bill No. 1088, Page 2, Section 1, Line 23, by inserting after said line:

"393.300. Any provider of telephone, sewer, water, electric or gas utility service, whether public or private, shall, upon the request of a customer of such provider, provide the customer's bills in braille or no less than twenty-four point bold-faced type print or both.

Section B. Section 393.300 shall become effective on August 28, 1999.";

further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1162.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1588.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1718.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1747.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SB 786 and has taken up and passed HCS SB 786.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SB 841, as amended, and has taken up and passed HCS SB 841, as amended.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SB 842 and has taken up and passed HCS SB 842.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SB 854 and has taken up and passed HCS SB 854.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SB 898 and has taken up and passed HCS SB 898.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SB 963 and has taken up and passed HCS SB 963.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SB 970 and has taken up and passed HCS SB 970.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS HS HCS HB 1095, entitled:

An act to repeal sections 610.010, 610.015, 610.020, 610.022, 610.023, 610.026, 610.027, 610.029, 610.030, 610.105, and 610.125, RSMo 1994, and sections 610.021 and 610.100, RSMo Supp. 1997, relating to governmental bodies, and to enact in lieu thereof thirteen new sections relating to the same subject, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2, Senate Amendment No. 2, as amended, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15 and Senate Amendment No. 17.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 1, Section A, Line 7, by inserting immediately after all of said line the following:

"[566.617. 1. Except as provided in subsection 3 of this section, the statements, photographs, and fingerprints required by sections 566.600 to 566.625 shall not be subject to the provisions of chapter 610, RSMo, and are not public records as defined in section 610.010, RSMo, and shall be available to courts, prosecutors and law enforcement agencies.

2. Except as provided in subsection 3 of this section, the statements, photographs, and fingerprints required by sections 566.600 to 566.625 shall not be subject to the provisions of chapter 610, RSMo, and are not public records as defined in section 610.010, RSMo, and shall not be open to inspection by the public or any person, other than a regularly employed peace officer or law enforcement officer.

3. Notwithstanding any provision of law to the contrary, the local law enforcement agency shall provide a complete list of the names and addresses of each offender registered within such agency's jurisdiction as well as the crime for which such offender was convicted to any person upon request.]

589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, received a suspended imposition of sentence for, been found guilty of, or pled guilty to committing, or attempting to commit, a felony offense of

chapter 566, RSMo; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, received a suspended imposition of sentence for, been found guilty of, or pled guilty to committing, or attempting to commit one or more of the following offenses, against a victim who is a minor, defined for the purposes of sections 589.400 to 589.425 as a person under seventeen years of age: kidnapping; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; incest; abuse of a child; used a child in a sexual performance; or promoting sexual performance by a child[, and committed or attempted to commit the offense against a victim who is a minor, defined for the purposes of sections 589.400 to 589.425 as a person under seventeen years of age]; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivisions (1) or (2) of this subsection; or

(5) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere in any other state or under federal jurisdiction to committing, or attempting to commit, an offense which, if committed in this state, would be a felony violation of chapter 566, RSMo, or a felony violation of any offense listed in subdivision (2) of this subsection.

2. Any person to whom sections 589.400 to 589.425 applies shall, within fourteen days of coming into any county, register with the chief law enforcement official of the county in which such person resides. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town or village law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town or village law enforcement agency, if so requested.

589.407. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol. Such form shall include, but is not limited to the following:

(1) A statement in writing signed by the person, giving the name, address, social security number and phone number of the person, the place of employment of such person, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 588.108, RSMo, the date [and], place and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable; and

(2) The fingerprints and a photograph of the person.

589.410. [1.] The chief law enforcement official shall forward the completed offender registration form to the central repository within ten days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system upon inquiry.

[2. Notwithstanding any provision of law to the contrary, the chief law enforcement official, in accordance with rules promulgated by the department of public safety, shall release the information contained in the registration statement, as provided in subdivision (1) of section 589.407, made by an offender found to be a predatory sexual offender.]

589.414. 1. If any person required by sections 589.400 to 589.425 to register changes residence or address within the same county as his previous address, the person shall inform the chief law enforcement official, in writing within fourteen days, of such new address and phone number, if the phone number is also changed.

2. If any person required by sections 589.400 to 589.425 to register changes residence or address to a different county, the person shall inform both the chief law enforcement official with whom the person last registered [of the new address] and the chief law enforcement official of the county having jurisdiction over the new residence or address, in writing within fourteen days, of such new address and phone number, if the phone number is also changed.

3. Any person required by sections 589.400 to 589.425 to register who officially changes his name shall inform the chief law enforcement officer of such name change within seven days after such change is made.

4. In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall contact the county law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

(1) Any offender registered as a predatory or persistent offender;

(2) Any offender who is registered for a crime where the victim was under age eighteen at the time of the offense; and

(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

589.417. 1. Except for the specific information listed in subsection 2 of this section, the complete statements[, photographs] and fingerprints required by sections 589.400 to 589.425 shall not be subject to the provisions of chapter 610, RSMo, and are not public records as defined in section 610.010, RSMo, and shall be available only to courts, prosecutors and law enforcement agencies.

2. [The statements, photographs and fingerprints required by sections 589.400 to 589.425 shall not be subject to the provisions of chapter 610, RSMo, and are not public records as defined in section 610.010, RSMo, and shall not be open to inspection by the public or any person, other than a regularly employed peace officer or law enforcement officer.] Notwithstanding any provision of law to the contrary, the chief law enforcement official of the county shall maintain, for all offenders registered in such county, including those receiving a suspended imposition of sentence, a complete list of the names, addresses, crimes for which such offenders are registered, brief descriptions of such crimes and photographs of such offenders. Any person may request such list from the chief law enforcement official of such county. The list may be published as a public notice by any newspaper of general circulation in the county.

589.425. 1. Any person who is required to register pursuant to sections 589.400 to 589.425 [but] and:

(1) Includes any false information in his registration statement; or

(2) Fails to [do so] register; or

(3) Fails to timely verify registration information pursuant to section 566.614;

is guilty of a class A misdemeanor.

2. Any person who commits a second or subsequent violation of subsection 1 of this section is guilty of a class D felony."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1

to

Senate Amendment No. 2

AMEND Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 1, by adding:

" and amend Section 610.010, page 2, line 13, by striking the words: "or judicial";

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 1, Section 610.010, Line 8, by inserting immediately before said line the following:

"43.503. 1. For the purpose of maintaining complete and accurate criminal history record information, all police officers of this state, the clerk of each court, the department of corrections, the sheriff of each county, the chief law enforcement official of a city not within a county and the prosecuting attorney of each county or the circuit attorney of a city not within a county shall submit certain criminal arrest, charge, and disposition information to the central repository for filing without undue delay in the form and manner required by sections 43.500 to 43.530.

2. All law enforcement agencies making misdemeanor and felony arrests as determined by section 43.506 shall furnish without undue delay, to the central repository, fingerprints, charges, and descriptions of all persons who are arrested for such offenses on standard fingerprint forms supplied by the highway patrol. All such agencies shall also notify the central repository of all decisions not to refer such arrests for prosecution. An agency making such arrests may enter into arrangements with other law enforcement agencies for the purpose of furnishing without undue delay such fingerprints, charges, and descriptions to the central repository

upon its behalf. In instances where an individual less than seventeen years of age is taken into custody for an offense which would be considered a felony if committed by an adult, the arresting officer shall take one set of fingerprints for the central repository and may take another set for inclusion in a local or regional automated fingerprint identification system. These fingerprints shall be taken on fingerprint cards which are plainly marked "juvenile card" and shall be provided by the central repository. The fingerprint cards shall be so constructed that only the fingerprints, unique identifying number, and the court of jurisdiction are made available to the central or local repository. The remainder of the card which bears the individual's identification and the duplicate unique number shall be provided to the court of jurisdiction. The appropriate portion of the juvenile fingerprint card shall be forwarded to the central repository and the courts without undue delay. The fingerprint information from the card shall be captured and stored in the automated fingerprint identification system operated by the central repository. The juvenile fingerprint card shall be stored in a secure location, separate from all other fingerprint cards. In the event the fingerprints from this card are found to match latent prints searched in the automated fingerprint identification system, the court of jurisdiction shall be so advised.

3. The prosecuting attorney of each county or the circuit attorney of a city not within a county shall notify the central repository on standard forms supplied by the highway patrol of all charges filed, including all those added subsequent to the filing of a criminal court case, and whether charges were not filed in criminal cases for which the central repository has a record of an arrest. All records forwarded to the central repository by prosecutors or circuit attorneys as required by sections 43.500 to 43.530 shall include the state offense cycle number of the offense, and the originating agency identifier number of the reporting prosecutor, using such numbers as assigned by the highway patrol.

4. The clerk of the courts of each county or city not within a county shall furnish the central repository, on standard forms supplied by the highway patrol, with all final dispositions of criminal cases for which the central repository has a record of an arrest or a record of fingerprints reported pursuant to subsections 6 and 7 of this section. Such information shall include, for each charge:

(1) All judgments of not guilty, acquittals on the ground of mental disease or defect excluding responsibility, judgments or pleas of guilty including the sentence, if any, or probation, if any, pronounced by the court, nolle pros, discharges, releases and dismissals in the trial court;

(2) Court orders filed with the clerk of the courts which reverse a reported conviction or vacate or modify a sentence;

(3) Judgments terminating or revoking a sentence to probation, supervision or conditional release and any resentencing after such revocation; and

(4) The offense cycle number of the offense, and the originating agency identifier number of the reporting court, using such numbers as assigned by the highway patrol.

5. The clerk of the courts of each county or city not within a county shall furnish court judgment and sentence documents and the state offense cycle number of the offense, which result in the commitment or assignment of an offender, to the jurisdiction of the department of corrections or the department of mental health if the person is committed pursuant to chapter 552, RSMo. This information shall be reported to the department of corrections or the department of mental health at the time of commitment or assignment. If the offender was already in the custody of the department of corrections or the department of mental health at the time of such subsequent conviction, the clerk shall furnish notice of such subsequent conviction to the appropriate department [of corrections] by certified mail, return receipt requested, within ten days of such disposition.

6. After the court pronounces sentence, including an order of supervision or an order of probation granted for any offense which is required by statute to be collected, maintained, or disseminated by the central repository, or commits a person to the department of mental health pursuant to chapter 552, RSMo, the prosecuting attorney or the circuit attorney of a city not within a county shall ask the court to order a law enforcement agency to fingerprint immediately all [sentenced] persons appearing before the court to be sentenced or committed who have not previously been fingerprinted for the same case. The court shall order the requested fingerprinting if it determines that any sentenced or committed person has not previously been fingerprinted for the same case. The law enforcement agency shall submit such fingerprints to the central repository without undue delay.

7. The department of corrections and the department of mental health shall furnish the central repository with all information concerning the receipt, escape, execution, death, release, pardon, parole, commutation of sentence, granting of executive clemency, or discharge of an individual who has been sentenced to [the] that department's custody for any offenses which are mandated by [this act] law to be collected, maintained or disseminated by the central repository. All records forwarded to the central repository by the department as required by sections 43.500 to 43.530 shall include the offense cycle number of the offense, and the originating agency identifier number of the department using such numbers as assigned by the highway patrol."; and

Further amend said bill, page 24, Section 610.105, RSMo, line 22, by inserting immediately after said line the following: "If the accused is found not guilty due to mental disease or defect pursuant to section 552.030, RSMo, official records pertaining to the case shall thereafter be closed records upon such findings, except that the disposition may be accessed only by law enforcement agencies, child care agencies, facilities as defined in

section 198.006, RSMo, and in-home services provider agencies as defined in section 660.250, RSMo, in the manner established by section 610.120."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 1, Section A, Line 7 of said page, by inserting immediately after said line the following:

"105.458. 1. No member of any legislative or governing body of any political subdivision of the state shall:

(1) Perform any service for such political subdivision or any agency of the political subdivision for any consideration other than the compensation provided for the performance of his official duties; or

(2) Sell, rent or lease any property to the political subdivision or any agency of the political subdivision for consideration in excess of five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received; or

(3) Attempt, for any compensation other than the compensation provided for the performance of his official duties, to influence the decision of any agency of the political subdivision on any matter; except that, this provision shall not be construed to prohibit such person from participating for compensation in any adversary proceeding or in the preparation or filing of any public document or conference thereon. Notwithstanding Missouri supreme court rule 1.10 of rule 4 or any other court rule or law to the contrary, other members of a firm, professional corporation or partnership shall not be prohibited pursuant to this subdivision from representing a person or other entity solely because a member of the firm, professional corporation or partnership serves as an unpaid city council member, provided that such official does not share directly in the compensation earned, so far as the same may reasonably be accounted, for such activity by the firm or by any other member of the firm.

2. No sole proprietorship, partnership, joint venture, or corporation in which any member of any legislative body of any political subdivision is the sole proprietor, a partner having more than a ten percent partnership interest, or a coparticipant or owner of in excess of ten percent of the outstanding shares of any class of stock, shall:

(1) Perform any service for the political subdivision or any agency of the political subdivision for any consideration in excess of five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received;

(2) Sell, rent or lease any property to the political subdivision or any agency of the political subdivision where the consideration is in excess of five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 25, Section 610.125, Line 6, by inserting after all of said line the following:

"Section 1. Effective August 28, 1998, political subdivisions applying for or renewing their coverage through the Missouri consolidated health care plan shall submit as part of their application, health statements and other necessary documentation to determine the actuarial risk of the group and the rate that the health care plan will charge for covering the political subdivision.

2. The rates charged for health plans to political subdivisions with three to twenty-five employees shall be subject to the provisions of sections 379.932 to 379.952. Political subdivisions with other than from three to twenty-five employees shall be charged a rate that is actuarially justified by the risk presented by the political subdivision."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 16, Section 610.026, Line 22 by inserting after all of said line the following:

"6. A person requesting copies, printouts or photographs of public records for a commercial purpose shall, upon making such a request, provide a certified statement setting forth the commercial purpose for which the copies, printouts or photographs will be used. Upon being furnished the verified statement the custodian of such records may furnish reproductions, the charge for which shall include the following:

(1) A portion of the cost to the government body for obtaining the original or copies of the documents, printouts or photographs;

(2) A reasonable fee for the cost of time, equipment and personnel in producing such reproduction; and

(3) The value of the reproduction on the commercial market.

7. If the custodian of a public record determines that the commercial purpose stated in the verified statement is a misuse of public records or is an abuse of the right to receive public records, the custodian may apply to the chief executive officer of the government body requesting that the executive by executive order prohibit the furnishing of copies, printouts or photographs for such commercial purpose. The executive, upon application from a custodian of public records, shall determine whether the commercial purpose is a misuse or an abuse of the public record. If the executive determines that the public record shall not be provided for such commercial purpose the executive shall issue an executive order prohibiting the providing of such public records for such commercial purpose. If no order is issued within thirty days of the date of application, the custodian of public records shall provide such copies, printouts or photographs upon being paid the fee determined pursuant to subsection 6 of this section.

8. A person who obtains public records for a commercial purpose without indicating the commercial purpose or who obtains a public record for a noncommercial purpose and uses or knowingly allows the use of such public record for a commercial purpose or who obtains a public record for commercial purpose and uses or knowingly allows the use of such public record for a different commercial purpose or who obtains a public record from anyone other than the custodian of such records and uses them for a commercial purpose shall in addition to other penalties be liable to the state or the political subdivision from which the public record was obtained for damages in the amount of three times the amount which would have been charged for the public record had the commercial purpose been stated plus costs and reasonable attorney's fees or shall be liable to the state or the political subdivision for the amount of three times the actual damages if it can be shown that the public record would not have been provided had the commercial purpose of actual use been stated at the time of obtaining the records.

9. As used in this section "commercial purpose" means the use of a public record for the purpose of sale or resale or for the purpose of producing a document containing all or part of the copy, printout or photograph for sale or the obtaining of names and addresses from such public records for the purpose of solicitation or the sale of such names and address to another for the purpose of solicitation or for any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the director or indirect use of such public record. Commercial purpose does not mean the use of a public record as evidence or as research for evidence in an action in a judicial or quasi-judicial body of this state or a political subdivision of this state.

10. A person who obtains public records for a commercial purpose without indicating the commercial purpose or who obtains a public record for a noncommercial purpose and uses or knowingly allows the use of such public record for a commercial purpose or who obtains a public record for a commercial purpose and uses or knowingly allows the use of such public record for a different commercial purpose or who obtains a public record from anyone other than the custodian of such records and uses them for a commercial purpose is guilty of a class B misdemeanor.".

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1095, Page 1, Section A, Line 7, by inserting immediately after all of said line the following:

"[32.055. Subject to the provisions of sections 32.090 and 32.091, the director of revenue may sell lists of motor vehicle registrations to any organization organized under an act of the Congress of the United States in accordance with the fee limitations as provided in section 610.026, RSMo.]

32.055. Subject to the provisions of sections 32.090 and 32.091, the director of revenue [may] shall not sell lists of motor vehicle registrations or other personal information held by the department of revenue. Individual motor vehicle registration records and other personal information held by the department of revenue may be

disclosed to any person or organization organized under an act of the Congress of the United States in accordance with the fee limitations as provided in section 610.026, RSMo.

32.091. 1. As used in sections 32.090 and 32.091, the following terms mean:

(1) "Motor vehicle record", any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration or identification card issued by the department of revenue;

(2) "Person", an individual, organization or entity, but does not include a state or agency thereof;

(3) "Personal information", information that identifies an individual, including an individual's photograph, social security number, driver identification number, name, address, but not the five-digit zip code, telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations and driver's status.

2. The department of revenue may disclose individual motor vehicle records pursuant to section 2721(b)(11) of Title 18 of the United States Code [and may disclose motor vehicle records in bulk pursuant to section 2721(b)(12) of Title 18 of the United States Code] in the manner prescribed in this section. The department shall provide to all individuals for which such records are maintained a method by which an individual may prohibit personal information in such individual's records from being disclosed pursuant to this section.

3. A notice that the personal information may be disclosed pursuant to this section and a notice of an individual's right to prohibit such disclosure shall be printed on all forms for issuance or renewal of motor vehicle titles and registrations prescribed in chapter 301, RSMo, and forms for issuance or renewal of motor vehicle operator's permits, licenses and personal identification cards issued pursuant to chapter 302, RSMo, in a clear and conspicuous manner. [In addition, with respect to bulk disclosures, the department shall ensure that the personal information disclosed shall be used, rented or sold solely for bulk distribution for surveys, marketing and solicitations, and that such surveys, marketing and solicitations shall not be directed at individuals who have notified the department in a timely manner that they do not want the personal information contained in motor vehicle records disclosed.]

4. Notwithstanding any other provision of law to the contrary, the department of revenue shall disclose any motor vehicle record or personal information permitted to be disclosed pursuant to sections 2721(b)(1) to 2721(b)(10) and 2721(b)(13) to 2721(b)(14) of Title 18 of the United States Code.

5. Pursuant to section 2721(b)(14) of Title 18 of the United States Code, any person who has a purpose to disseminate to the public a newspaper, book, magazine, broadcast or other similar form of public communication, including dissemination by computer or other electronic means, may request the department to provide individual or bulk motor vehicle records, such dissemination being related to the operation of a motor vehicle or to public safety. Upon receipt of such request, the department shall release the requested motor vehicle records. It is the public policy of this state that records be open to the public unless otherwise provided by law. The disclosure provisions of this section shall be liberally construed and the exemptions strictly construed to promote this public policy."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 1, Section A, Line 7, by inserting after all of said line the following:

"105.271. 1. An adoptive parent who is employed by the state of Missouri, its departments, agencies, or political subdivisions, may use his or her accrued sick leave, annual leave, or the same leave without pay granted to biological parents to take time off for purposes of arranging for the adopted child's placement or caring for the child after placement. The employer shall not penalize an employee for requesting or obtaining time off according to this section.

2. A stepparent, as defined in section 453.015, RSMo, who is employed by the state of Missouri, its departments, agencies, or political subdivisions, may use his or her accrued sick leave, annual leave or the same leave without pay granted to biological parents to take time off to care for his or her stepchild. The employer shall not penalize an employee for requesting or obtaining time off according to this section.

[2.] 3. The leave authorized by this section may be requested by the employee only if the employee is the person who is primarily responsible for furnishing the care and nurture of the child.

453.015. As used in sections 453.010 to [453.335] 453.400, the following terms mean:

(1) "Minor" or "child", any person who has not attained the age of eighteen years or any person in the custody of the division of family services who has not attained the age of twenty-one;

(2) "Parent", a birth parent or parents of a child, including the putative father of the child, as well as the husband of a birth mother at the time the child was conceived, or a parent or parents of a child by adoption. The putative father shall have no legal relationship unless he has acknowledged the child as his own by affirmatively asserting his paternity;

(3) "Putative father", the alleged or presumed father of a child including a person who has filed a notice of intent to claim paternity with the putative father registry established in section 192.016, RSMo, and a person who has filed a voluntary acknowledgment of paternity pursuant to section 193.087, RSMo[.]; and

(4) "Stepparent", the spouse of a biological or adoptive parent. The term does not include the state if the child is a ward of the state. The term does not include a person whose parental rights have been terminated."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 25, Section 610.125, Line 6, by inserting after all of said line the following:

"610.200. [All local] 1. Except as provided in subsection 2 of this section all law enforcement agencies that maintain a daily log or record that lists suspected crimes, accidents, or complaints, shall make available the following information for inspection and copying by the public:

(1) The time, substance, and location of all complaints or requests for assistance received by the agency;

(2) The time and nature of the agency's response to all complaints or request for assistance; and

(3) If the incident involves an alleged crime or infraction:

(a) The time, date, and location of occurrence;

(b) The name and age of any victim, unless the victim is a victim of a crime under chapter 566, RSMo;

(c) The factual circumstances surrounding the incident; and

(d) A general description of any injuries, property or weapons involved.

2. Any law enforcement agency with custody of an accident report or incident report, as defined in section 610.100, shall not release the report containing the factual circumstances or general description of any injuries as provided in paragraphs (c) and (d) of subdivision (3) of subsection 1 of this section to a person that is not an interested party. For the purposes of this subsection, an "interested party" is any law enforcement agency, any person who was involved in the accident or incident, the owner of any vehicle involved in the accident or incident, the insurance company, physician or family member of any person involved in the accident or incident or any attorney or any member of the news media."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 1, Section A, Line 7, by inserting immediately after said line the following:

"192.800. As used in this section, the following terms mean:

(1) "Communicable disease", an illness due to an infectious agent or its toxic products and transmitted directly or indirectly to a susceptible host from an infected person, animal or arthropod or through the agency of an intermediate host or a vector or through the inanimate environment;

(2) "Designated officer", an employee of the department or a city or county health officer, or designee, located in or employed by appropriate agencies serving geographical regions and appointed by the director of the department of health, whose duties consist of:

(a) Collecting, upon request, facts surrounding possible exposure of a first responder or good samaritan to a communicable disease or infection;

(b) Contacting facilities that receive patients or clients of potentially exposed first responders or good

samaritans to ascertain if a determination has been made as to whether the patient or client has had a communicable disease or infection and to ascertain the results of that determination; and

(c) Notifying the first responder or good samaritan as to whether or not there is reason for concern regarding possible exposure;

(3) "First responder", any person trained and authorized by law or rule to render emergency medical assistance or treatment. Such persons may include, but shall not be limited to, emergency first responders, police officers, sheriffs, deputy sheriffs, firefighters, ambulance attendants and attendant drivers, emergency medical technicians, mobile emergency medical technicians, emergency medical technician-paramedics, registered nurses or physicians;

(4) "Good samaritan", any person who renders emergency medical assistance or aid until such time as relieved of these duties by a first responder;

(5) "Licensed facility", a facility licensed [under] pursuant to chapter 197, RSMo, or a state medical facility;

(6) "Peace officer", a member of the state highway patrol, or any state, county or municipal law enforcement officer who serves full time with pay and possesses the duty and power of arrest for violations of the criminal laws of the state, or for violations of the ordinances of counties or municipalities of the state.

192.802. The department of health shall ensure that peace officers, first responders or good samaritans are notified if there is reason to believe an exposure has occurred which may present a significant risk of a communicable disease as a result of a peace officer performing any lawful duty, or first responder, good samaritan or peace officer attending or transporting a patient to a licensed facility. At the request of any first responder, the licensed facility shall notify any such first responder and at the request of any good samaritan, the designated officer shall notify such good samaritan, and at the request of any peace officer, the licensed facility or the designated officer shall notify such peace officer. Notification will be made as soon as practicable, but not later than forty-eight hours, to the department of health or a designated officer.

192.804. 1. First responders or good samaritans who attended or transported a patient who believe that they may have received an exposure which may present a significant risk of a communicable disease by a patient may provide a written request concerning the suspected exposure to either the licensed facility that received the patient or the designated officer, detailing the nature of the alleged exposure. The form shall inform the first responder or good samaritan, in bold print, of the provisions of subsections 1 and 6 of section 191.656, RSMo, regarding confidentiality and consequences of violation of confidentiality provisions. The first responder or good samaritan shall be given a copy of the request form.

2. Peace officers acting in the lawful performance of their duties who believe they may have received an exposure which may present a significant risk of a communicable disease by an individual may provide a written request concerning the suspected exposure to either the licensed facility that received an individual or the designated officer, detailing the nature of the alleged exposure.

3. If the licensed facility, designated officer, coroner or medical examiner makes a determination that there was an exposure to a communicable disease, the report to the first responder, peace officer or good samaritan shall provide the name of the communicable disease involved, the date on which the patient was assisted or transported, and any advice or information about the communicable disease as provided by rule by the department of health and shall, in addition, inform the first responder, peace officer or the good samaritan of the provisions of subsections 1 and 6 of section 191.656, RSMo, regarding confidentiality and consequences of violation of confidentiality provisions. This section shall not be construed to authorize the disclosure of any identifying information with respect to the patient, first responder, peace officer or good samaritan."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1095, Page 25, Section 610.125, Line 6, by inserting immediately after all of said line the following:

"Section 1. 1. No state agency shall release the personal information of any state employee without the consent of the employee. As used in this section, personal information shall mean the home address and home phone number of the employee.

2. This section shall not apply to the following:

(1) Any release necessary to comply with any federal law or any specific state law;

(2) Releases for authorized use by any federal agency, state agency, court of law or law enforcement agency; and

(3) Motor vehicle and driver's license information subject to sections 32.090 and 32.091, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 10, Section 610.021, Line 7, by inserting immediately following the word "available" on said line the following:

"with a record of how each member voted".

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 10, Section 610.021, Line 4, by inserting immediately following the word "recorded" on said line the following:

"except that the concerned employee shall have the right to have an open meeting upon written request"

Senate Amendment No. 14

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 1, Section A, Line 7 of said page, by inserting immediately after all of said line the following:

"172.035. 1. The governor shall, by and with the advice and consent of the senate, appoint a student representative to the board of curators of the University of Missouri, who shall attend all meetings and participate in all deliberations of the board[, except any meeting, record or vote closed under the provisions of section 610.025, RSMo]. Such student representative shall not have the right to vote on any matter before the board.

2. Such student representative shall be a full-time student at the university as defined by the board, selected from a panel of three names submitted to the governor by the student government presidents of the campuses of the university, a citizen of the United States, and a resident of the state of Missouri. No person may be appointed who is not actually enrolled during the term of [his] such person's appointment as a student at the University of Missouri.

3. The term of the student representative shall be two years, except that the person first appointed shall serve until January 1, 1986.

4. If a vacancy occurs for any reason in the position of student representative, the governor shall appoint a replacement who meets the qualifications set forth in subsection 2 of this section and who shall serve until [his] the student representative's successor is appointed and qualified.

5. If the student representative ceases to be a student at the University of Missouri, or a resident of the state of Missouri, or fails to follow the board's attendance policy, the student representative's position shall at once become vacant, unless [his] such absence is caused by sickness or some accident preventing [his] such representative's arrival at the time and place appointed for the meeting.

[6. The student representative while attending meetings of the board shall receive his actual expenses which shall be paid out of the ordinary revenues of the university.]

6. The student representative shall receive the same reimbursement for expenses as other members of the board of curators receive pursuant to section 172.040.

7. Appointments made under this section shall be made in rotation from each of the four campuses of the University of Missouri, beginning with a student from the Columbia campus, next from the Rolla campus, next from the Kansas City campus, and then from the St. Louis campus.

8. Unless alternative arrangements for payment have been made and agreed to by the student and the university, the student representative shall have paid all student and tuition fees due prior to such appointment and shall pay all future student and tuition fees during the term of office when such fees are due.

172.037. 1. For the purposes of this chapter, confidentiality, as determined by the board and as provided by law, shall apply to all members and representatives on the board.

2. Any member or representative on the board may recuse himself or herself from any deliberation or proceeding of the board.

3. Upon a unanimous affirmative vote of the members of the board who are present and who are not a student representative, a given meeting closed pursuant to sections 610.021 and 610.022, RSMo, shall be closed to the student representative.

174.055. 1. The governor shall, by and with the advice and consent of the senate, appoint a student representative to the board of regents or governors of each educational institution referred to in section 174.020 who shall attend all meetings and participate in all deliberations of the board[, except any meeting, record or vote closed under the provisions of section 610.025, RSMo]. Such student representative shall not have the right to vote on any matter before the board.

2. Such student representative shall be a full-time student at the institution as defined by the board, selected from a panel of three names submitted to the governor by the student government president, a citizen of the United States, and a resident of the state of Missouri. No person may be appointed who is not actually enrolled during the term of [his] such person's appointment as a student at the institution.

3. The term of the student representative shall be two years, except that the person first appointed shall serve until January 1, 1986.

4. If a vacancy occurs for any reason in the position of student representative, the governor shall appoint a replacement who meets the qualifications set forth in subsection 2 of this section and who shall serve until [his] such representative's successor is appointed and qualified.

5. If the student representative ceases to be a student at the institution, or a resident of the state of Missouri, or fails to follow the board's attendance policy, the student representative's position shall at once become vacant, unless the student representative's absence is caused by sickness or some accident preventing the student representative's arrival at the time and place appointed for the meeting.

[6. The student representative shall receive no compensation or reimbursement for expenses.]

6. The student representative shall receive the same reimbursement for expenses as other members of the board of regents receive pursuant to section 174.100.

7. Unless alternative arrangements for payment have been made and agreed to by the student and the educational institution, the student representative shall have paid all student and tuition fees due prior to such appointment and shall pay all future student and tuition fees during the term of office when such fees are due.

174.057. 1. For the purposes of this chapter, confidentiality, as determined by the board and as provided by law, shall apply to all members and representatives on the board.

2. Any member or representative on the board may recuse himself or herself from any deliberation or proceeding of the board.

3. Upon a unanimous affirmative vote of the members of the board who are present and who are not a student representative, a given meeting closed pursuant to sections 610.021 and 610.022, RSMo, shall be closed to the student representative.

174.610. [1.] The governing board of the Truman State University shall be a board of governors consisting of [ten] eleven members, composed of seven voting members and [three] four nonvoting members as provided in section 174.620, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting governor who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years [next] immediately prior to [his] such person's appointment. Not more than four voting governors shall belong to any one political party. The appointed members of the board of regents serving on January 1, 1986, shall become members of the board of governors on January 1, 1986, and serve until the expiration of the terms for which they were appointed.

[2. The board of regents of the Truman State University is abolished.]

174.620. 1. The board of governors shall be appointed as follows:

(1) Four voting members [shall be selected] from the counties of Adair, Audrain, Boone, Callaway, Chariton, Clark, Howard, Knox, Lewis, Lincoln, Linn, Marion, Macon, Monroe, Montgomery, Pike, Putnam, Ralls, Randolph, St. Charles, Schuyler, Scotland, Shelby, Sullivan, and Warren, provided that not more than one member shall be appointed from the same county [of these aforementioned counties];

(2) Three voting members [shall be selected] from any of the seven college districts as contained in section 174.010, provided that no more than one member shall be appointed from the same congressional district;

(3) Two nonvoting members whose residence is other than the state of Missouri and who are knowledgeable of

the educational mission of liberal arts institutions [shall be selected]; [and]

(4) One nonvoting member who is a student [shall be selected as provided in section 174.055]. Such student representative shall attend all meetings and participate in all deliberations of the board. Such student representative shall not have the right to vote on any matter before the board, but shall have all other powers and duties of section 174.055, and shall also meet the qualifications of section 174.055.

2. The term of service of the governors shall be as follows:

(1) The voting members shall be appointed for terms of six years; except, that of the voting members first appointed, two shall serve for terms of two years, two for terms of four years, and three for terms of six years;

(2) The nonvoting members who are not students shall be appointed for terms of six years; except, that of the nonvoting members first appointed, one shall serve for a term of three years, and one shall serve a term of six years; and

(3) The nonvoting student member shall serve a two-year term as provided in section 174.055.

3. The governors, both nonvoting and voting, while attending the meetings of the board shall receive their actual and necessary expenses, which shall be paid out of the ordinary revenues of the university. Vacancies in terms of office caused by death, resignation or removal shall be filled in the manner provided by law for such vacancies on the board of curators of the [State] University of Missouri.

175.021. 1. The governor shall, by and with the advice and consent of the senate, appoint a student representative to the board of curators of Lincoln University, who shall attend all meetings and participate in all deliberations of the board[, except any meeting, record or vote closed under the provisions of section 610.025, RSMo]. Such student representative shall not have the right to vote on any matter before the board.

2. Such student representative shall be a full-time student at the university as defined by the board, selected from a panel of three names submitted to the governor by the student government association of the university, a citizen of the United States, and a resident of the state of Missouri. No person may be appointed who is not actually enrolled during the term of [his] such person's appointment as a student at the university.

3. The term of the student representative shall be two years, except that the person first appointed shall serve until January 1, 1989.

4. If a vacancy occurs for any reason in the position of student representative, the governor shall appoint a replacement who meets the qualifications set forth in subsection 2 of this section and who shall serve until [his] such student representative's successor is appointed and qualified.

5. If the student representative ceases to be a student at the university, or a resident of the state of Missouri, or fails to attend any regularly called meeting of the board of which [he] such representative has due notice, [his] the position shall at once become vacant, unless [his] such student representative's absence is caused by sickness or some accident preventing [his] such representative's arrival at the time and place appointed for the meeting.

[6. The student representative shall receive no compensation or reimbursement for expenses.]

6. The student representative shall receive the same reimbursement for expenses as other members of the board of curators receive pursuant to section 175.030.

7. Unless alternative arrangements for payment have been made and agreed to by the student and the university, the student [representatives of all public colleges and universities] representative shall have paid all student and tuition fees due prior to [said appointments] such appointment and shall pay all future student and tuition fees during the term of office when [said] such fees are due.

175.023. 1. For the purposes of this chapter, confidentiality, as determined by the board and as provided by law, shall apply to all members and representatives on the board.

2. Any member or representative on the board may recuse himself or herself from any deliberation or proceeding of the board.

3. Upon a unanimous affirmative vote of the members of the board who are present and who are not a student representative, a given meeting closed pursuant to sections 610.021 and 610.022, RSMo, shall be closed to the student representative."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 15

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute

for House Bill No. 1095, Page 25, Section 610.125, Line 6, by inserting immediately after said line the following:

"Section 1. The provisions of Supreme Court rules, including but not limited to 33.17, not withstanding, no legislator or licensed lawyer shall be prohibited from serving as a surety for an insurance company for the purposes of entering bail bonds."; and

further amend the title and enacting clause accordingly.

Senate Amendment No. 17

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, Page 18, Section 610.027, Line 5, by deleting the words "six months", and adding the words "one year";

further amend said page, line 7, by deleting the word "one" and inserting the word "two".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HS HCS HB 1636, entitled:

An act to repeal sections 67.1400, 67.1410, 67.1420, 67.1430, 67.1440, 67.1450, 67.1460, 67.1470, 67.1480, 67.1490, 67.1500, 67.1510, 67.1520, 67.1530, 67.1540, 67.1550 and 67.1560, RSMo Supp. 1997, relating to community improvement districts, and to enact in lieu thereof eighteen new sections relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1636, Page 11, Section 7, Line 30, by striking the word "subdivision" and inserting in lieu thereof the following: "subdivisions (2) and"; and further amend said section, line 31, by striking the word "subdivision" and inserting in lieu thereof the following: "subdivisions (2) and".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on SCS HB 1052: Senators Banks, Curls, Jacob, Singleton and Bentley.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, May 6, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-fifth Day, Monday, May 4, 1998, pages 1401 and 1402, roll call, by showing Representatives Bartelsmeyer and Kelley (47) voting "aye" rather than "absent with leave".

Pages 1408 and 1409, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

Pages 1411 and 1412, roll call, by showing Representatives Long and Ross voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

CHILDREN, YOUTH AND FAMILIES

Wednesday, May 6, 1998. Hearing Room 5 upon morning adjournment.

Executive session to follow. AMENDED

To be considered - SB 771, SB 910

CRITICAL ISSUES

Wednesday, May 6, 1998. Hearing Room 6 upon morning adjournment.

To be considered - Executive Session - HCR 17, Executive Session - SB 523,

Executive Session - SCR 37, Executive Session - SB 871

EDUCATION - HIGHER

Wednesday, May 6, 1998. Side gallery upon morning adjournment.

To be considered - Executive Session - SB 745

ELECTIONS

Thursday, May 7, 1998, 8:30 am. Hearing Room 5.

To be considered - SB 709

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY & PLANNING

Monday, May 11, 1998, 1:00 pm. Senate Committee Room #1 (118). Dept. of

Economic Development on Sister Cities.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, May 6, 1998, 1:30 pm. Hearing Room 7. Contested fiscal note.

HCS SB 615

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 6, 1998, 9:30 am. Hearing Room 6. Executive session may follow. AMENDED

To be considered - HR 1246, SCR 39, SCR 43

HOUSE CALENDAR

Sixty-seventh Day, Wednesday May 6, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

3 HCS HB 1674, HS#2, as amended, pending, - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1124 - Days

3 HS HB 1796 - Harlan

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, - DeMarce - (CONSENT)

SENATE BILL FOR SECOND READING

1 SB 773

SENATE BILLS FOR THIRD READING

1 HCS SB 487 - Auer

2 HCS SCS SB 722, HS, as amended, pending, - Auer

3 HCS SB 761 - Skaggs

4 HCS SS SCS SB 675, 483, 490 & 564 - Scheve

5 HCS SS SCS SB 781 - Stoll

6 HCS SB 787 - Riback Wilson

7 HCS SB 615, (Budget Fiscal 4-27-98) - Treadway

8 HCS SB 827 - Rizzo

9 SB 743 - Hoppe

10 HCS SCS SB 614,696,906,530,912 & 914 - May (108)

11 HCS SB 680 - May (108)

12 HCS SB 936 - Bray

13 SCS SB 561, HCA 1 - Boucher

14 HCS SS SCS SB 583 & 645 - Thomason (163)

15 HCS SB 619 - Stoll

16 HCS SB 674 - Riback Wilson

17 HCS SS SB 792 - Liese

18 HCS SCS SB 922 - Luetkenhaus

HOUSE BILLS WITH SENATE AMENDMENTS

1 SCS HCS HB 1469, as amended, - Relford

2 HB 1046, SCA 1 - O'Toole

3 SCS HB 1158 - McClelland

4 HB 1748, SCA 1 - Wannenmacher

5 HB 1805, SA 1 - Chrismer

6 SCS HS HCS HB 1161, as amended, E.C. - Wiggins

BILL CARRYING REQUEST MESSAGES

1 SCS HCS HB 1009, (House requests further conf.) - Troupe

BILLS IN CONFERENCE

1 SCS HCS HB 1010, as amended - Franklin

2 CCR SCS HCS HB 1011, as amended - Franklin

3 CCR SCS HCS HB 1012 - Franklin

4 HCS SB 778 - Hoppe

5 HCS SB 809 - Hoppe

6 CCR HB 1410, as amended - Luetkenhaus

7 HCS SB 883, as amended - Koller

8 HCS SB 739 - Stoll

9 SCS HB 927, as amended - Hosmer

10 SCS HB 1052 - Ford

HOUSE CONCURRENT RESOLUTION

1 HCR 26, (5-5-98, pgs. 1360 & 1361) - Green

HOUSE RESOLUTIONS

1 HR 38, (March 10, 1998, pg. 511) - Williams (121)

2 HR 130, (March 10, 1998, pg. 511) - Gratz

3 HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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House Journal

Second Regular Session, 89th General Assembly

SIXTY-SEVENTH DAY, Wednesday, May 6, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Gracious God, the peace talks are in jeopardy and grief and tragedy have invaded the sanctity of Vatican City. Peace, shalom - complete, wholeness, absence of hostility - what an elusive thing it is, for us as individuals and for us as a world. And yet we continue to clutch at it as if our lives depend on it, and perhaps they do.

As we come to the middle of this week prior to the end of session, let us find a sense of peace in the accomplishments we've made. Let us feel at rest about issues that have pressured and prodded us. Yet, even as we want peace, we recognize there is still pressure - to complete budgets, to appropriate funds, to please the constituency. In a world where we are entrusted with responsibility, our peace must come from our dependency on You. And so we place our lives - what we do, what we say, what we seek to achieve - into Your keeping, and ask for the inner peace only You can give.

Blessed are You, *Adonai* Our God, Sovereign of the Universe, who has given wisdom to those who seek Your peace. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Amy Roberts, Clare Gates, Daniel Hoffmann, Paul McArthur, Andrew Wahl, Brad Kulifay, Clayton Prewitt, Bonnie Lenzen, Lauren Treppler, Markaisa Black, Malcolm Black, Esther Breithaupt, Justin Russavage, Courtney Aholt, Colton Aholt, Cassy Jo Aholt, Marcus Black, Rachel Murray, Stephen Carr, Stewart Glenn, Deanne Glenn, Paul Glenn, Kyle Russavage, Stephanie Volz and Andrea Schoen.

The Journal of the sixty-sixth day was approved as corrected.

RESOLUTIONS

Representative Wannenmacher offered House Resolution No. 1272, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution No. 1273 through House Resolution No. 1280, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Days offered House Resolution No. 1281, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Liese offered House Resolution No. 1282, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Luetkenhaus offered House Resolution No. 1283, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1284, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hoppe offered House Resolution No. 1285, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cooper offered House Resolution No. 1286, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Ross and Hartzler (123) offered House Resolution No. 1287, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Kelley (47), Ross and Hartzler (123) offered House Resolution No. 1288, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelley (47) offered House Resolution No. 1289, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Kelley (47) and Ross offered House Resolution No. 1290, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 1291, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF SENATE BILL

SB 773 was read the second time.

Speaker Gaw assumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1469, as amended, relating to certification of teachers, was taken up by Representative Relford.

Representative Relford offered House Perfecting Amendment No. 1.

House Perfecting Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1469, Page 3, Section 168.071, Line 14, by deleting the number "**162.520**" and inserting in lieu thereof the number "**161.520**".

On motion of Representative Relford, House Perfecting Amendment No. 1 was adopted.

On motion of Representative Relford, **SCS HCS HB 1469, as amended,** was adopted by the following vote:

AYES: 141

Auer Backer Barnett Barry 100 Bartelsmeyer
Bartlett Bauer Bennett Berkstresser Bland
Boatright Bonner Boucher Bray 84 Broach
Burton Campbell Carter Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dougherty Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Harlan Hartzler 123 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Liese Linton Lograsso Long
Loudon Luetkenhaus May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 018

Akin Alter Ballard Chrismer Dolan
Edwards-Pavia Elliott Enz Evans Hall
Hartzler 124 Hohulin Levin Marble Murphy
Pryor Purgason Surface

PRESENT: 000

ABSENT WITH LEAVE: 003

Champion Donovan Shear

VACANCIES: 001

On motion of Representative Relford, **SCS HCS HB 1469, as amended,** was read the third time and passed by the following vote:

AYES: 158

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Nordwald O'Connor O'Toole

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Donovan Naeger Ostmann Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Leake, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

HB 1046, with Senate Committee Amendment No. 1, relating to governmental records, was taken up by Representative O'Toole.

On motion of Representative O'Toole, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 159

Wilson Wooten Mr. Speaker

NOES: 002

Hilgemann Liese

PRESENT: 000

ABSENT WITH LEAVE: 007

Boucher Ford McLuckie Murphy Ridgeway

Shear Williams 121

VACANCIES: 001

On motion of Representative O'Toole, **HB 1046, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Levin Liese Linton
Lograsso Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Donovan Ford Legan Long Murray
Shear Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative O'Connor moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1158, relating to recreational districts, was taken up by Representative McClelland.

On motion of Representative McClelland, **SCS HB 1158** was adopted by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Parker Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 006

Hosmer Kissell Overschmidt Patek Shear

Williams 121

VACANCIES: 001

On motion of Representative McClelland, **SCS HB 1158** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Holand

Hollingsworth Hoppe Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Klindt

Koller Lakin Lawson Leake Legan

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 002

Hohulin Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 005

Gross Hosmer Kissell Kreider Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Monaco moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

HB 1748, with Senate Committee Amendment No. 1, relating to child labor, was taken up by Representative Wannenmacher.

On motion of Representative Wannenmacher, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 002

Murphy Scheve

PRESENT: 000

ABSENT WITH LEAVE: 004

Champion Kissell Ridgeway Shear

VACANCIES: 001

On motion of Representative Wannenmacher, **HB 1748, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Purgason Ransdall Reinhart Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 002

Murphy Scheve

PRESENT: 000

ABSENT WITH LEAVE: 004

Kissell Pryor Ridgeway Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hickey, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Parker moved that motion lay on the table.

The latter motion prevailed.

HB 1805, with Senate Amendment No. 1, relating to conveyance of property in St. Charles, was taken up by Representative Chrismer.

On motion of Representative Chrismer, the House concurred in Senate Amendment No. 1 by the following vote:

AYES: 158

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Boatright Hickey Patek Shear

VACANCIES: 001

On motion of Representative Chrismer, **HB 1805, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Crawford Evans Hickey Patek Pryor

Secrest Shear Troupe

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bauer, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Stroker moved that motion lay on the table.

The latter motion prevailed.

SCS HS HCS HB 1161, as amended, relating to public drinking water, was taken up by Representative Wiggins.

Representative Wiggins moved that the House refuse to adopt **SCS HS HCS HB 1161, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

MOTION

SS SCS HS HCS HB 1095, as amended, relating to governmental meetings and records, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SS SCS HS HCS HB 1095, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Representative Thomason (163) made a substitute motion that the House refuse to adopt **SS SCS HS HCS HB 1095, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference and the House conferees be bound to subsection 18, lines 10 through 14, page 12.

Representative Smith raised a point of order that the substitute motion is out of order in that the House

conferees cannot be bound to the Senate position.

The Chair ruled the point of order not well taken.

Representative Green assumed the Chair.

The substitute motion was withdrawn.

Speaker Gaw resumed the Chair.

Representative Smith again moved that the House refuse to adopt **SCS HS HCS HB 1095, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HBs 1681 & 1342, as amended, relating to transportation oversight, was taken up by Representative Koller.

Representative Koller moved that the House refuse to adopt **SCS HCS HBs 1681 & 1342, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HOUSE CONCURRENT RESOLUTION

HCR 26, relating to James P. Mulvaney, was taken up by Representative Green.

On motion of Representative Green, **HCR 26** was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 10.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1009** and requests the House to adopt the **CCR on SCS HCS HB 1009** and take up and pass **CCS HB 1009**; and failing to do so, grant the Senate a further conference on **SCS HCS HB 1002** through **SCS HCS HB 1012**.

MOTION

CCR SCS HCS HB 1009, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **CCR SCS HCS HB 1009** was adopted by the following vote:

AYES: 133

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bland Boatright

Bonner Boucher Bray 84 Burton Campbell

Carter Champion Chrismer Clayton Cooper

Copeland Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Heckemeyer Hegeman Hickey

Hilgemann Holand Hollingsworth Hoppe Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Liese

Long Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Purgason Ransdall Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 024

Akin Ballard Broach Cierpiot Crawford

Enz Evans Froelker Gaskill Gaston

Hartzler 124 Hendrickson Hohulin Levin Linton

Loudon Naeger Pryor Reinhart Ridgeway

Secrest Steen Townley Treadway

PRESENT: 000

ABSENT WITH LEAVE: 005

Bennett Berkstresser Hosmer Lograsso Shear

VACANCIES: 001

On motion of Representative Troupe, **CCS SCS HCS HB 1009** was read the third time and passed by the following vote:

AYES: 148

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bland

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Long Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 009

Akin Boatright Evans Hohulin Loudon

O'Connor Pryor Secrest Treadway

PRESENT: 000

ABSENT WITH LEAVE: 005

Bennett Berkstresser Lograsso Shear Stokan

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Dougherty moved that motion lay on the table.

The latter motion prevailed.

BILLS IN CONFERENCE

CCR SCS HCS HB 1010, as amended, relating to appropriations, was taken up by Representative Carter.

On motion of Representative Carter, **CCR SCS HCS HB 1010, as amended,** was adopted by the following vote:

AYES: 088

Auer Backer Bartlett Bauer Bland
Boucher Burton Campbell Carter Chrismer
Clayton Copeland Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days Donovan Dougherty
Farnen Fitzwater Foley Ford Franklin
Fritts Graham 24 Gratz Green Gunn
Hagan-Harrell Harlan Hartzler 123 Heckemeyer Hickey
Holand Hollingsworth Hosmer Johnson Kauffman
Kelley 47 Kelly 27 Koller Kreider Lakin
Lawson Leake Legan Luetkenhaus May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murray Nordwald O'Toole
Ostmann Parker Ransdall Relford Reynolds
Robirds Scheve Schilling Sheldon 104 Shelton 57
Shields Skaggs Smith Stokan Stroker
Surface Thomason 163 Thompson 37 Thompson 72 Troupe
Van Zandt Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 071

Akin Alter Ballard Barnett Barry 100
Bartelsmeyer Bennett Boatright Bonner Bray 84

Broach Champion Cierpiot Cooper Crawford

DeMarce Dolan Edwards-Pavia Elliott Enz

Evans Foster Froelker Gaskill Gaston

Gibbons Graham 106 Griesheimer Gross Hall

Hartzler 124 Hegeman Hendrickson Hohulin Hoppe

Howerton Kasten Kennedy Kissell Klindt

Levin Liese Linton Lograsso Long

Loudon Marble Murphy Naeger O'Connor

Overschmidt Patek Pouche Pryor Purgason

Reinhart Richardson Ridgeway Rizzo Ross

Sallee Schwab Scott Secrest Seigfreid

Steen Stoll Summers Townley Treadway

Vogel

PRESENT: 000

ABSENT WITH LEAVE: 003

Berkstresser Hilgemann Shear

VACANCIES: 001

On motion of Representative Carter, **CCS SCS HCS HB 1010** was read the third time and passed by the following vote:

AYES: 104

Alter Auer Backer Bartlett Bauer

Boucher Broach Burton Campbell Carter

Champion Chrismer Clayton Copeland Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Donovan

Dougherty Edwards-Pavia Farnen Fitzwater Foley

Franklin Fritts Gaskill Gaston Graham 106

Graham 24 Gratz Green Gunn Hagan-Harrell

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hickey

Hilgemann Holand Hollingsworth Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Long Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Nordwald

O'Toole Ostmann Parker Pouche Ransdall

Relford Reynolds Robirds Sallee Scheve

Scott Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 052

Akin Ballard Barnett Barry 100 Bartelsmeyer

Bennett Boatright Bonner Bray 84 Cierpiot

Cooper Crawford Days DeMarce Dolan

Elliott Enz Evans Foster Froelker

Gibbons Griesheimer Gross Hall Harlan

Hendrickson Hohulin Hoppe Kennedy Kissell

Liese Linton Lograsso Loudon Marble

Murphy Naeger O'Connor Overschmidt Patek

Pryor Purgason Reinhart Richardson Ridgeway

Rizzo Ross Schwab Secrest Seigfreid

Treadway Van Zandt

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser Bland Ford Schilling Shear

Troupe

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Johnson, title to the bill was agreed to.

Representative Riback Wilson moved that the vote by which the bill passed be reconsidered.

Representative Skaggs moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1011, as amended, relating to appropriations, was taken up by Representative Troupe.

CCR SCS HCS HB 1011, as amended, was laid over.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HB 1052: Representatives Ford, Reynolds, Daniels (41), Richardson and Wannenmacher.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HB 948 and has taken up and passed HB 948.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1113, entitled:

An act relating to a county road tax in counties with a population between four thousand two hundred and six thousand five hundred.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1113, Page 1, In the Title, Line 3, by striking the following: "five hundred"; and

Further amend said bill and page, section 1, line 3, by striking the following: "five hundred".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1145, entitled:

An act to repeal sections 493.025, 493.027, 493.030 and 493.050, RSMo 1994, relating to publication of legal notices, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1201.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1300, entitled:

An act to repeal section 301.140, RSMo Supp. 1997, relating to motor vehicles, and to enact in lieu thereof one new section relating to the same subject, with an effective date.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1300, Page 3, Section 301.140, Line 51, by deleting the words "issuance by the director of revenue to" and inserting in lieu thereof the following: "[issuance by the director of revenue to] purchase by".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1385, entitled:

An act to repeal section 247.180, RSMo Supp. 1997, relating to public water supply district elections, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1622, entitled:

An act to repeal section 247.040, RSMo Supp. 1997, relating to public water supply districts, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1622, Page 4, Section 247.040, Line 108, by striking the word "revenue" and inserting in lieu thereof the word "obligation".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1807.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 950, entitled:

An act to repeal sections 348.015 and 348.400, RSMo Supp. 1997, relating to agriculture, and to enact in lieu thereof two new sections relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 950, Page 1, In the Title, Line 2, by deleting the word "agriculture" and inserting in lieu thereof the following: "the Missouri agricultural and small business development authority"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "two" and inserting in lieu thereof the word "three"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word "two" and inserting in lieu thereof the word "three"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting "and 348.400" and inserting in lieu thereof the following: ", 348.400 and 1"; and

Further amend said bill, Page 4, Section 348.400, Line 23, by inserting after all of said line the following:

"Section 1. Records and documents submitted by program applicants and lenders to the Missouri agricultural and small business development authority relating to financial investments in a business, or sales projections or

processes or other business plan information which if released or otherwise made public may endanger the competitiveness of a business, or records and documents submitted to the authority relating to financial assistance that is awarded by the authority, except for the amount and recipient of any loan or grant from a program administered by the authority shall be deemed a closed record as such term is defined in section 610.010, RSMo, may be discussed in a meeting that has been closed pursuant to section 610.022, RSMo, and shall not be subject to the provisions of sections 109.200 to 109.310, RSMo, the state and local records laws. Such records and documents may be released by the authority upon written approval by the applicant.".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HCS SCS SJR 24, as amended and has taken up and passed HCS SCS SJR 24, as amended.

On motion of Representative Backer, the House recessed until 2:45 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Laura Chambers, Shawn Peters and Mike Pennick.

RESOLUTIONS

Representative Ross offered House Resolution No. 1292, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Linton offered House Resolution No. 1293, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 1294, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 1295 through House Resolution No. 1297, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lakin offered House Resolution No. 1298 and House Resolution No. 1299, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 1300, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Cooper, Skaggs and Lakin offered House Resolution No. 1301, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McBride offered House Resolution No. 1302, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Surface offered House Resolution No. 1303, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Purgason and Holand offered House Resolution No. 1304, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 1305, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gibbons offered House Resolution No. 1306, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 1307, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Townley offered House Resolution No. 1308, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 1309, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sallee offered House Resolution No. 1310, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Patek offered House Resolution No. 1311 and House Resolution No. 1312, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Troupe offered House Resolution No. 1313, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Gaw offered House Concurrent Resolution No. 30.

COMMITTEE REPORT

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred HCS SB 615 (Fiscal Note), begs leave to report it has examined the same and recommends that it Do Pass.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SCS HS HCS HB 1161, as amended, and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HS HCS HB 1161: Representatives Wiggins, Relford, Ransdall, Crawford and Howerton.

THIRD READING OF SENATE BILLS

HCS SB 761, relating to Kansas City teachers retirement, was taken up by Representative Skaggs.

Representative Smith assumed the Chair.

On motion of Representative Skaggs, HCS SB 761 was adopted.

On motion of Representative Skaggs, HCS SB 761 was read the third time and passed by the following vote:

AYES: 133

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bland Bonner

Boucher Bray 84 Broach Campbell Carter

Champion Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Hartzler 123 Hartzler 124 Hegeman Hendrickson

Hickey Hilgemann Holand Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelly 27

Kennedy Klindt Koller Lakin Leake

Legan Levin Liese Linton Long

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger O'Connor Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten

NOES: 008

Akin Ballard Berkstresser Boatright Elliott

Gibbons Murphy Pryor

PRESENT: 000

ABSENT WITH LEAVE: 021

Bennett Burton Chrismer Enz Ford

Harlan Heckemeyer Hohulin Hollingsworth Kelley 47

Kissell Kreider Lawson Lograsso Loudon

Nordwald O'Toole Shear Thompson 72 Townley

Mr. Speaker

VACANCIES: 001

Representative Smith declared the bill passed.

On motion of Representative Van Zandt, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Auer moved that motion lay on the table.

The latter motion prevailed.

HCS SCS SB 722, with HS, as amended, pending, relating to genetic information, was again taken up by Representative Auer.

Representative Liese offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 8, Section 5, Line 21 of said page, by inserting after all of said lines the following:

"Section 6. Sections 6 to 15 of this act apply to all group and individual life insurance policies and certificates except:

(1) Variable life insurance;

(2) Individual and group annuity contracts;

(3) Credit life insurance;

(4) Policies written by a company with less than twenty-five million dollars in annual direct written life insurance premiums;

(5) Life insurance policies with no illustrated death benefits on any individual exceeding ten thousand dollars;

(6) Life insurance policies containing guaranteed elements exclusively; or

(7) Single premium policies.

Section 7. As used in sections 6 to 15 of this act, the following terms shall mean:

(1) "Actuarial standards board", the board established by the American Academy of Actuaries to develop and promulgate standards of actuarial practice;

(2) "Contract premium", the gross premium that is required to be paid under a fixed premium policy, including the premium for a rider for which benefits are shown in the illustration;

(3) "Currently payable scale", a scale of nonguaranteed elements in effect for a policy form as of the preparation date of the illustration or declared to become effective within the next ninety-five days;

(4) "Disciplined current scale", a scale of nonguaranteed elements constituting a limit on illustrations currently being illustrated by an insurer that is reasonably based on actual recent historical experience, as certified annually by an illustration actuary designated by the insurer. Further guidance in determining the disciplined current scale as contained in standards established by the actuarial standards board may be relied upon if the standards:

(a) Are consistent with sections 6 to 15 of this act;

(b) Limit a disciplined current scale to reflect only actions that have already been taken or events that have already occurred;

(c) Do not permit a disciplined current scale to include any projected trends of improvements in experience or any assumed improvements in experience beyond the illustration date; and

(d) Do not permit assumed expenses to be less than minimum assumed expenses;

(5) "Generic name", a short title descriptive of the policy being illustrated such as "whole life", "term life" or "flexible premium adjustable life";

(6) "Guaranteed elements", the premiums, benefits, values, credits or charges under a policy of life insurance that are guaranteed and determined at issue;

(7) "Illustrated scale", a scale of nonguaranteed elements currently being illustrated that is not more favorable

to the policy owner than the lesser of:

(a) The disciplined current scale; or

(b) The currently payable scale;

(8) "Illustration", a presentation or depiction that includes nonguaranteed elements of a policy of life insurance over a period of years and that is one of the three types defined below:

(a) "Basic illustration", a ledger or proposal used in the sale of a life insurance policy that shows both guaranteed and nonguaranteed elements;

(b) "Supplemental illustration", an illustration furnished in addition to a basic illustration that meets the applicable requirements of sections 6 to 15 of this act, and that may be presented in a format differing from the basic illustration, but may only depict a scale of nonguaranteed elements that is permitted in a basic illustration;

(c) "In force illustration", an illustration furnished at any time after the policy that it depicts has been in force for one year or more;

(9) "Illustration actuary", an actuary meeting the requirements of section 14 of this act who certifies to illustrations based on the standard practice promulgated by the actuarial standards board;

(10) "Lapse-supported illustration", an illustration of a policy form failing the test of self-supporting illustration as defined in subdivision (16) of this section, under a modified persistency rate assumption using persistency rates underlying the disciplined current scale for the first five years and one hundred percent policy persistency thereafter;

(11) "Minimum assumed expenses", the minimum expenses that may be used in the calculation of the disciplined current scale for a policy form. The insurer may choose to designate each year the method of determining assumed expenses for all policy forms from the following:

(a) Fully allocated expenses;

(b) Marginal expenses; and

(c) A generally recognized expense table on fully allocated expenses representing a significant portion of insurance companies and approved by the National Association of Insurance Commissioners.

Marginal expenses may be used only if greater than a generally recognized expense table. If no generally recognized expense table is approved, fully allocated expenses shall be used;

(12) "Nonguaranteed elements", the premiums, benefits, values, credits or charges under a policy of life insurance that are not guaranteed or not determined at issue;

(13) "Nonterm group life", a group policy or individual policies of life insurance issued to members of an employer group or other permitted group where:

(a) Every plan of coverage was selected by the employer or other group representative;

(b) Some portion of the premium is paid by the group or through payroll deduction; and

(c) Group underwriting or simplified underwriting is used;

(14) "Policy owner", the owner named in the policy or the certificate holder in the case of a group policy;

(15) "Premium outlay", the amount of premium assumed to be paid by the policy owner or other premium payer out-of-pocket;

(16) "Self-supporting illustration", an illustration of a policy form for which it can be demonstrated that, when using experience assumptions underlying the disciplined current scale, for all illustrated points in time on or after the fifteenth policy anniversary or the twentieth policy anniversary for second-or-later-to-die policies, or upon policy expiration if sooner, the accumulated value of all policy cash flows equals or exceeds the total policy owner value available. For this purpose, policy owner value shall include cash surrender values and any other illustrated benefit amounts available at the policy owner's election.

Section 8. 1. Each insurer marketing policies to which sections 6 to 15 of this act are applicable shall notify the director of the department of insurance whether a policy form is to be marketed with or without an illustration. For all policy forms being actively marketed on August 28, 1998, the insurer shall identify in writing those forms and whether or not an illustration will be used with them. For policy forms filed after August 28, 1998, the identification shall be made at the time of filing. Any previous identification may be changed by notice to the director of the department of insurance.

2. If the insurer identifies a policy form as one to be marketed without an illustration, any use of an illustration for

any policy using that form prior to the first policy anniversary is prohibited.

3. If a policy form is identified by the insurer as one to be marketed with an illustration, a basic illustration prepared and delivered in accordance with sections 6 to 15 of this act is required, except that a basic illustration need not be provided to individual members of a group or to individuals insured under multiple lives coverage issued to a single applicant unless the coverage is marketed to these individuals. The illustration furnished an applicant for a group life insurance policy or policies issued to a single applicant on multiple lives may be either an individual or composite illustration representative of the coverage on the lives of members of the group or the multiple lives covered.

4. Potential enrollees of nonterm group life subject to sections 6 to 15 of this act shall be furnished a quotation with the enrollment materials. The quotation shall show potential policy values for sample ages and policy years on a guaranteed and nonguaranteed basis appropriate to the group and the coverage. This quotation shall not be considered an illustration for purposes of sections 6 to 15 of this act, but all information provided shall be consistent with the illustrated scale. A basic illustration shall be provided at delivery of the certificate to enrollees for nonterm group life who enroll for more than the minimum premium necessary to provide pure death benefit protection. In addition, the insurer shall make a basic illustration available to any nonterm group life enrollee who requests it.

Section 9. 1. An illustration used in the sale of a life insurance policy shall satisfy the applicable requirements of sections 6 to 15 of this act, be clearly labeled "life insurance illustration" and contain the following basic information:

(1) Name of insurer;

(2) Name and business address of producer or insurer's authorized representative, if any;

(3) Name, age and sex of proposed insured, except where a composite illustration is permitted pursuant to sections 6 to 15 of this act;

(4) Underwriting or rating classification upon which the illustration is based;

(5) Generic name of policy, the company product name, if different, and form number;

(6) Initial death benefit; and

(7) Dividend option election or application of nonguaranteed elements, if applicable.

2. When using an illustration in the sale of a life insurance policy, an insurer or its producers or other authorized representatives shall not:

(1) Represent the policy as anything other than a life insurance policy;

(2) Use or describe nonguaranteed elements in a manner that is misleading or has the capacity or tendency to mislead;

(3) State or imply that the payment or amount of nonguaranteed elements is guaranteed;

(4) Use an illustration that does not comply with the requirements of sections 6 to 15 of this act;

(5) Use an illustration that at any policy duration depicts policy performance more favorable to the policy owner than that produced by the illustrated scale of the insurer whose policy is being illustrated;

(6) Provide an applicant with an incomplete illustration;

(7) Represent in any way that premium payments will not be required for each year of the policy in order to maintain the illustrated death benefits, unless that is the fact;

(8) Use the term "vanish" or "vanishing premium", or a similar term that implies the policy becomes paid up, to describe a plan for using nonguaranteed elements to pay a portion of future premiums;

(9) Except for policies that can never develop nonforfeiture values, use an illustration that is "lapse-supported"; or

(10) Use an illustration that is not "self-supporting".

3. If an interest rate used to determine the illustrated nonguaranteed elements is shown, it shall not be greater than the earned interest rate underlying the disciplined current scale.

Section 10. 1. A basic illustration shall conform with the following requirements:

(1) The illustration shall be labeled with the date on which it was prepared;

(2) Each page, including any explanatory notes or pages, shall be numbered and show its relationship to the total number of pages in the illustration;

(3) The assumed dates of payment receipt and benefit pay-out within a policy year shall be clearly identified;

(4) If the age of the proposed insured is shown as a component of the tabular detail, it shall be issue age plus the numbers of years the policy is assumed to have been in force;

(5) The assumed payments on which the illustrated benefits and values are based shall be identified as premium outlay or contract premium, as applicable. For policies that do not require a specific contact premium, the illustrated payments shall be identified as premium outlay;

(6) Guaranteed death benefits and values available upon surrender, if any, for the illustrated premium outlay or contract premium shall be shown and clearly labeled guaranteed;

(7) If the illustration shows any nonguaranteed elements, they cannot be based on a scale more favorable to the policy owner than the insurer's illustrated scale at any duration. These elements shall be clearly labeled nonguaranteed;

(8) The guaranteed elements, if any, shall be shown before corresponding nonguaranteed elements and shall be specifically referred to on any page of an illustration that shows or describes only the nonguaranteed elements;

(9) The account or accumulation value of a policy, if shown, shall be identified by the name this value is given in the policy being illustrated and shown in close proximity to the corresponding value available upon surrender;

(10) The value available upon surrender shall be identified by the name this value is given in the policy being illustrated and shall be the amount available to the policy owner in a lump sum after deduction of surrender charges, policy loans and policy loan interest as applicable;

(11) Illustrations may show policy benefits and values in graphic or chart form in addition to the tabular form;

(12) Any illustration of nonguaranteed elements shall be accompanied by a statement indicating that:

(a) The benefits and values are not guaranteed;

(b) The assumptions on which they are based subject to change by the insurer; and

(c) Actual results may be more or less favorable;

(13) If the illustration shows that the premium payer may have the option to allow policy charges to be paid using nonguaranteed values, the illustration shall clearly disclose that a charge continues to be required and that, depending on actual results, the premium payer may need to continue or resume premium outlays. Similar disclosure shall be made for premium outlay of lesser amounts or shorter durations than the contract premium. If a contract premium is due, the premium outlay display shall not be left blank or show zero unless accompanied by an asterisk or similar mark to draw attention to the fact that the policy is not paid up;

(14) If the applicant plans to use dividends or policy values, guaranteed or nonguaranteed, to pay all or a portion of the contract premium or policy charges, or for any other purpose, the illustration may reflect those plans and the impact on future policy benefits and values.

2. A basic illustration shall include the following:

(1) A brief description of the policy being illustrated, including a statement that it is a life insurance policy;

(2) A brief description of the premium outlay or contract premium, as applicable, for the policy. For a policy that does not require payment of a specific contract premium, the illustration shall show the premium outlay that shall be paid to guarantee coverage for the term of the contract, subject to maximum premiums allowable to qualify as a life insurance policy pursuant to the applicable provisions of the Internal Revenue Code;

(3) A brief description of any policy features, riders or options, guaranteed or nonguaranteed, shown in the basic illustration and the impact they may have on the benefits and values of the policy;

(4) Identification and a brief definition of column headings and key terms used in the illustration; and

(5) A statement containing in substance the following: "This illustration assumes that the currently illustrated nonguaranteed elements will continue unchanged for all years shown. This is not likely to occur, and actual results may be more or less favorable than those shown.".

3. Following the narrative summary, a basic illustration shall include a numeric summary of the death benefits and values and the premium outlay and contract premium, as applicable. For a policy that provides for a contract premium, the guaranteed death benefits and values shall be based on the contract premium. This summary shall be shown for at least policy years five, ten and twenty and at age seventy, if applicable, on the three bases shown in subdivisions (1) to (3) of this subsection. For multiple life policies the summary shall show policy years five, ten, twenty and thirty.

(1) Policy guarantees;

(2) Insurer's illustrated scale;

(3) Insurer's illustrated scale used but with the nonguaranteed elements reduced as follows:

(a) Dividends at fifty percent of the dividends contained in the illustrated scale used;

(b) Nonguaranteed credited interest at rates that are the average of the guaranteed rates and the rates contained in the illustrated scale used; and

(c) All nonguaranteed charges, including but not limited to, term insurance charges, mortality and expense charges, at rates that are the average of the guaranteed rates and the rates contained in the illustrated scale used.

In addition, if coverage would cease prior to policy maturity or age one hundred, the year in which coverage ceases shall be identified for each of the three bases.

4. Statements substantially similar to the following shall be included on the same page as the numeric summary and signed by the applicant, or the policy owner in the case of an illustration provided at time of delivery, as required in sections 6 to 15 of this act:

(1) A statement to be signed and dated by the applicant or policy owner reading as follows: "I have received a copy of this illustration and understand that any nonguaranteed elements illustrated are subject to change and could be either higher or lower. The agent has told me they are not guaranteed."; and

(2) A statement to be signed and dated by the insurance producer or other authorized representative of the insurer reading as follows: "I certify that this illustration has been presented to the applicant and that I have explained that any nonguaranteed elements illustrated are subject to change. I have made no statements that are inconsistent with the illustration.".

5. (1) A basic illustration shall include the following for at least each policy year from one to ten and for every fifth policy thereafter ending at age one hundred, policy maturity or final expiration; and except for term insurance beyond the twentieth year, for any year in which the premium outlay and contract premium, if applicable, is to change:

(a) The premium outlay and mode the applicant plans to pay and the contract premium, as applicable;

(b) The corresponding guaranteed death benefit, as provided in the policy; and

(c) The corresponding guaranteed value available upon surrender, as provided in the policy.

(2) For a policy that provides for a contract premium, the guaranteed death benefit and value available upon surrender shall correspond to the contract premium.

(3) Nonguaranteed elements may be shown if described in the contract. In the case of an illustration for a policy on which the insurer intends to credit terminal dividends, they may be shown if the insurer's current practice is to pay terminal dividends. If any nonguaranteed elements are shown, they shall be shown at the same durations as the corresponding guaranteed elements, if any. If no guaranteed benefit or value is available at any duration for which a nonguaranteed benefit or value is shown, a zero shall be displayed in the guaranteed column.

Section 11. 1. A supplemental illustration may be provided so long as:

(1) It is appended to, accompanied by or preceded by a basic illustration that complies with sections 6 to 15 of this act;

(2) The nonguaranteed elements shown are not more favorable to the policy owner than the corresponding elements based on the scale used in the basic illustration;

(3) It contains the same statement required of a basic illustration that nonguaranteed elements are not guaranteed; and

(4) For a policy that has a contract premium, the contract premium underlying the supplemental illustration is equal to the contract premium shown in the basic illustration. For policies that do not require a contract premium, the premium outlay underlying the supplemental illustration shall be equal to the premium outlay shown in the basic illustration.

2. The supplemental illustration shall include a notice referring to the basic illustration for guaranteed elements and other important information.

Section 12. 1. (1) If a basic illustration is used by an insurance producer or other authorized representative of the insurer in the sale of a life insurance policy and the policy is applied for as illustrated, a copy of that

illustration, signed in accordance with sections 6 to 15 of this act, shall be submitted to the insurer at the time of policy application. A copy also shall be provided to the applicant.

(2) If the policy is issued other than as applied for, a revised basic illustration conforming to the policy as issued shall be sent with the policy. The revised illustration shall conform to the requirements of sections 6 to 15 of this act, shall be labeled "Revised Illustration" and shall be signed and dated by the applicant or policy owner and producer or other authorized representative of the insurer no later than the time the policy is delivered. A copy shall be provided to the insurer and the policy owner.

2. (1) If no illustration is used by an insurance producer or other authorized representative in the sale of a life insurance policy or if the policy is applied for other than as illustrated, the producer or representative shall certify to that effect in writing on a form provided by the insurer. On the same form the applicant shall acknowledge that no illustration conforming to the policy applied for was provided and shall further acknowledge an understanding that an illustration conforming to the policy as issued will be provided no later than at the time of policy delivery. This form shall be submitted to the insurer at the time of policy application.

(2) If the policy is issued, a basic illustration conforming to the policy as issued shall be sent with the policy and signed no later than the time the policy is delivered. A copy shall be provided to the insurer and the policy owner.

3. If the basic illustration or revised illustration is sent to the applicant or policy owner by mail from the insurer, it shall include instructions for the applicant or policy owner to sign the duplicate copy of the numeric summary page of the illustration for the policy issued and return the signed copy to the insurer. The insurer's obligation pursuant to this subsection shall be satisfied if it can demonstrate that it has made a diligent effort to secure a signed copy of the numeric summary page. The requirement to make a diligent effort shall be deemed satisfied if the insurer includes in the mailing a self-addressed postage prepaid envelope with instructions for the return of the signed numeric summary page.

4. A copy of the basic illustration and a revised basic illustration, if any, signed as applicable, along with any certification that either no illustration was used or that the policy was applied for other than as illustrated, shall be retained by the insurer until three years after the policy is no longer in force. A copy need not be retained if no policy is issued.

Section 13. 1. In the case of a policy designated as one for which illustrations will be used, the insurer shall provide each policy owner with an annual report on the status of the policy that shall contain at least the following information:

(1) For universal life policies, the report shall include the following:

(a) The beginning and end date of the current report period;

(b) The policy value at the end of the previous report period and at the end of the current report period;

(c) The total amounts that have been credited or debited to the policy value during the current report period, identifying each by type (e.g., interest, mortality, expense and riders);

(d) The current death benefit at the end of the current report period on each life covered by the policy;

(e) The net cash surrender value of the policy as of the end of the current report period;

(f) The amount of outstanding loans, if any, as of the end of the current report period; and

(g) For fixed premium policies if, assuming guaranteed interest, mortality and expense loads and continued scheduled premium payments, the policy's net cash surrender value is such that it would not maintain insurance in force until the end of the next reporting period, a notice to this effect shall be included in the report; or

(h) For flexible premium policies if, assuming guaranteed interest, mortality and expense loads, the policy's net cash surrender value will not maintain insurance in force until the end of the next reporting period unless further premium payments are made, a notice to this effect shall be included in the report.

(2) For all other policies, where applicable:

(a) Current death benefit;

(b) Annual contract premium;

(c) Current cash surrender value;

(d) Current dividend;

(e) Application of current dividend; and

(f) Amount of outstanding loan.

(3) Insurers writing life insurance policies that do not build nonforfeiture values shall only be required to provide an annual report with respect to these policies for those years when a change has been made to nonguaranteed policy elements by the insurer.

2. If the annual report does not include an in-force illustration, it shall contain the following notice displayed prominently: "IMPORTANT POLICY OWNER NOTICE: You should consider requesting more detailed information about your policy to understand how it may perform in the future. You should not consider replacement of your policy or make changes in your coverage without requesting a current illustration. You may annually request, without charge, such an illustration by calling . . . . . (insurer's phone number), writing to . . . . . (insurer's name) at . . . . . (insurer's address) or contacting your agent. If you do not receive a current illustration of your policy within thirty days from your request, you should contact your state insurance department." The insurer may vary the sequential order of the methods for obtaining an in-force illustration.

3. Upon the request of the policy owner, the insurer shall furnish an in-force illustration of current and future benefits and values based on the insurer's present illustrated scale. This illustration shall comply with the requirements of subsections 1 and 2 of section 9 of this act and subsections 1 and 5 of section 10 of this act. No signature or other acknowledgement of receipt of this illustration shall be required.

4. If an adverse change in nonguaranteed elements that could affect the policy has been made by the insurer since the last annual report, the annual report shall contain a notice of that fact and the nature of the change prominently displayed.

Section 14. 1. The board of directors of each insurer shall appoint one or more illustration actuaries.

2. The illustration actuary shall certify that the disciplined current scale used in illustrations is in conformity with the actuarial standard of practice for compliance with the NAIC model regulation of life insurance illustrations promulgated by the actuarial standards board, and that the illustrated scales used in insurer-authorized illustrations meet the requirements of sections 6 to 15 of this act.

3. The illustration actuary shall:

(1) Be a member in good standing of the American Academy of Actuaries;

(2) Be familiar with the standard of practice regarding life insurance policy illustrations;

(3) Not have been found by the director of the department of insurance, following appropriate notice and hearing to have:

(a) Violated any provision of, or any obligation imposed by, the insurance law or other law in the course of his or her dealings as an illustration actuary;

(b) Been found guilty of fraudulent or dishonest practices;

(c) Demonstrated his or her incompetence, lack of cooperation, or untrustworthiness to act as an illustration actuary; or

(d) Resigned or been removed as an illustration actuary within the past five years as a result of acts or omissions indicated in any adverse report on examination or as a result of a failure to adhere to generally acceptable actuarial standards;

(4) Not fail to notify the director of the department of insurance of any action taken by a commissioner or director of insurance of another state similar to that pursuant to subdivision (3) of this subsection;

(5) Disclose in the annual certification whether, since the last certification, a currently payable scale applicable for business issued within the previous five years and within the scope of the certification has been reduced for reasons other than changes in the experience factors underlying the disciplined current scale. If nonguaranteed elements illustrated for new policies are not consistent with those illustrated for similar in-force policies, this shall be disclosed in the annual certification. If nonguaranteed elements illustrated for both new and in-force policies are not consistent with the nonguaranteed elements actually being paid, charged or credited to the same or similar forms, this shall be disclosed in the annual certification; and

(6) Disclose in the annual certification the method used to allocate overhead expenses for all illustrations:

(a) Fully allocated expenses;

(b) Marginal expenses; or

(c) A generally recognized expense table based on fully allocated expenses representing a significant portion of insurance companies and approved by the director of the department of insurance.

4. (1) The illustration actuary shall file a certification with the board and with the director of the department of insurance:

(a) Annually for all policy forms for which illustrations are used; and

(b) Before a new policy form is illustrated.

(2) If an error in a previous certification is discovered, the illustration actuary shall notify the board of directors of the insurer and the director of the department of insurance promptly.

5. If an illustration actuary is unable to certify the scale for any policy form illustration the insurer intends to use, the actuary shall notify the board of directors of the insurer and the director of the department of insurance promptly of his or her inability to certify.

6. A responsible officer of the insurer, other than the illustration actuary, shall certify annually:

(1) That the illustration formats meet the requirements of sections 6 to 15 of this act and that the scales used in insurer-authorized illustrations are those scales certified by the illustration actuary; and

(2) That the company has provided its agents with information about the expense allocation method used by the company in its illustrations and disclosed as required in subdivision (6) of subsection 3 of this section.

7. The annual certifications shall be provided to the director of the department of insurance each year by a date determined by the insurer.

8. If an insurer changes the illustration actuary responsible for all or a portion of the company's policy forms, the insurer shall notify the director of the department of insurance of that fact promptly and disclose the reason for the change.

Section 15. In addition to any other penalties provided by the laws of this state, an insurer or producer that violates a requirement of sections 6 to 15 of this act shall be guilty of an unfair trade practice pursuant to sections 375.930 to 375.948, RSMo.

Section 16. Sections 6 to 15 of this act shall only apply to policies governed by sections 6 to 15 of this act which are marketed after January 1, 1999.".

On motion of Representative Liese, House Amendment No. 2 was adopted.

Representative Cierpiot offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 8, Line 21, by adding after said line all of the following:

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section 1. No state funds shall be used for research with respect to the cloning of a human person. For purposes of this section, the term "cloning" means the replication of a human person by taking a cell with genetic material and cultivating such cell through the egg, embryo, fetal and newborn stages of development into a new human person.

On motion of Representative Cierpiot, House Amendment No. 3 was adopted.

On motion of Representative Auer, HS HCS SCS SB 722, as amended, was adopted by the following vote:

AYES: 099

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bauer Bennett Berkstresser

Boatright Bonner Broach Chrismer Clayton

Copeland Crawford Crump Daniels 41 Davis 122

Davis 63 Dolan Elliott Fitzwater Foley

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Hartzler 123 Heckemeyer

Hegeman Hickey Hohulin Hollingsworth Howerton

Kauffman Kelley 47 Kennedy Koller Kreider

Lakin Lawson Leake Legan Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble Mays 50 McClelland McLuckie Miller

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Ransdall

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Scheve Schwab Scott

Seigfreid Shelton 57 Skaggs Smith Steen

Stoll Surface Treadway Vogel Wannenmacher

Wiggins Williams 159 Wooten Mr. Speaker

NOES: 053

Bartlett Bland Bray 84 Campbell Carter

Champion Cierpiot Cooper Daniel 42 Days

DeMarce Donovan Dougherty Edwards-Pavia Enz

Evans Farnen Fritts Graham 24 Harlan

Hartzler 124 Hendrickson Hilgemann Holand Hosmer

Johnson Kasten Kelly 27 Kissell Klindt

Levin May 108 McBride Merideth Monaco

Murphy Murray Naeger Purgason Reinhart

Sallee Schilling Sheldon 104 Shields Stokan

Stroker Thompson 37 Thompson 72 Townley Troupe

Van Zandt Williams 121 Wilson

PRESENT: 000

ABSENT WITH LEAVE: 010

Backer Boucher Burton Ford Franklin

Hoppe Secrest Shear Summers Thomason 163

VACANCIES: 001

On motion of Representative Auer, HS HCS SCS SB 722, as amended, was read the third time and passed by the following vote:

AYES: 133

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Boatright Bonner Broach Burton

Campbell Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 DeMarce Dolan

Elliott Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McClelland McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Schwab Scott Secrest

Shelton 57 Shields Skaggs Steen Stoll

Stroker Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Vogel Wannenmacher Wiggins

Williams 159 Wooten Mr. Speaker

NOES: 023

Bartlett Bland Boucher Bray 84 Carter

Days Donovan Dougherty Edwards-Pavia Graham 24

Harlan Hilgemann Kasten McBride Murphy

Schilling Seigfreid Sheldon 104 Stokan Troupe

Van Zandt Williams 121 Wilson

PRESENT: 000

ABSENT WITH LEAVE: 006

Ford Patek Scheve Shear Smith

Summers

VACANCIES: 001

Representative Smith declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative Gratz moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

BILLS IN CONFERENCE

CCR SCS HCS HB 1011, as amended, relating to appropriations, was again taken up by Representative Troupe.

On motion of Representative Troupe, CCR SCS HCS HB 1011, as amended, was adopted by the following vote:

AYES: 082

Auer Backer Bartlett Bauer Bland

Boucher Bray 84 Campbell Carter Clayton

Copeland Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dougherty Farnen

Fitzwater Foley Ford Franklin Fritts

Graham 24 Green Gunn Hagan-Harrell Harlan

Heckemeyer Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Kauffman Kelly 27 Kennedy

Koller Kreider Lakin Lawson Leake

Liese May 108 Mays 50 McBride McClelland

McLuckie Merideth Monaco Murray O'Connor

O'Toole Ostmann Parker Ransdall Relford

Rizzo Scheve Schilling Seigfreid Shelton 57

Shields Skaggs Smith Stokan Stoll

Stroker Thomason 163 Thompson 37 Thompson 72 Troupe

Van Zandt Wannenmacher Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 078

Akin Alter Ballard Barnett Barry 100

Bartelsmeyer Bennett Berkstresser Boatright Bonner

Broach Burton Champion Chrismer Cierpiot

Cooper Crawford Dolan Donovan Edwards-Pavia

Elliott Enz Evans Foster Froelker

Gaskill Gaston Gibbons Graham 106 Gratz

Griesheimer Gross Hall Hartzler 123 Hartzler 124

Hegeman Hendrickson Hohulin Howerton Johnson

Kelley 47 Kissell Klindt Legan Levin

Linton Lograsso Long Loudon Luetkenhaus

Marble Miller Murphy Naeger Nordwald

Overschmidt Patek Pouche Pryor Purgason

Reinhart Reynolds Richardson Ridgeway Robirds

Ross Sallee Schwab Scott Secrest

Sheldon 104 Steen Summers Surface Townley

Treadway Vogel Wiggins

PRESENT: 000

ABSENT WITH LEAVE: 002

Kasten Shear

VACANCIES: 001

On motion of Representative Troupe, CCS SCS HCS HB 1011 was read the third time and passed by the following vote:

AYES: 086

Auer Backer Bartlett Bauer Bland

Boucher Bray 84 Burton Campbell Carter

Champion Clayton Copeland Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days Dougherty

Farnen Fitzwater Foley Ford Franklin

Fritts Graham 24 Green Gunn Hagan-Harrell

Harlan Hartzler 123 Heckemeyer Hickey Hilgemann

Holand Hollingsworth Hosmer Kauffman Kelly 27

Kennedy Koller Kreider Lakin Lawson

Leake Liese May 108 Mays 50 McBride

McClelland McLuckie Merideth Monaco Murray

O'Toole Ostmann Overschmidt Parker Ransdall

Relford Reynolds Rizzo Robirds Scheve

Schilling Seigfreid Shelton 57 Shields Skaggs

Stokan Stoll Stroker Thomason 163 Thompson 37

Thompson 72 Townley Troupe Van Zandt Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 069

Akin Alter Ballard Barnett Barry 100

Bartelsmeyer Berkstresser Boatright Bonner Broach

Chrismer Cierpiot Cooper Crawford DeMarce

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Foster Froelker Gaskill Gaston

Gibbons Graham 106 Gratz Griesheimer Gross

Hall Hartzler 124 Hegeman Hendrickson Hohulin

Howerton Johnson Kelley 47 Kissell Klindt

Legan Levin Linton Lograsso Long

Loudon Luetkenhaus Marble Miller Murphy

Naeger Nordwald Patek Pouche Pryor

Purgason Reinhart Richardson Ridgeway Ross

Sallee Schwab Scott Secrest Sheldon 104

Summers Surface Treadway Vogel

PRESENT: 000

ABSENT WITH LEAVE: 007

Bennett Hoppe Kasten O'Connor Shear

Smith Steen

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Thomason (163), title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1012, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, CCR SCS HCS HB 1012 was adopted by the following vote:

AYES: 111

Auer Backer Barry 100 Bartlett Bauer

Bennett Bland Boucher Bray 84 Burton

Campbell Carter Champion Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Farnen Fitzwater Foley Ford

Franklin Fritts Gibbons Graham 106 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Heckemeyer Hickey Hilgemann

Holand Hollingsworth Hosmer Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Legan Liese Luetkenhaus May 108 Mays 50

McBride McClelland McLuckie Merideth Monaco

Murphy Murray Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Ransdall Relford

Reynolds Rizzo Ross Sallee Scheve

Schilling Schwab Scott Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Townley Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 048

Akin Alter Ballard Bartelsmeyer Berkstresser

Boatright Broach Chrismer Cierpiot Dolan

Edwards-Pavia Elliott Enz Evans Foster

Froelker Gaskill Gaston Graham 24 Hall

Hartzler 124 Hegeman Hendrickson Hohulin Hoppe

Howerton Klindt Levin Linton Lograsso

Long Loudon Marble Miller Naeger

Patek Pouche Pryor Purgason Reinhart

Richardson Ridgeway Robirds Secrest Sheldon 104

Summers Surface Treadway

PRESENT: 001

Bonner

ABSENT WITH LEAVE: 002

Barnett Shear

VACANCIES: 001

On motion of Representative Green, CCS SCS HCS HB 1012 was read the third time and passed by the following vote:

AYES: 111

Alter Auer Backer Barry 100 Bartlett

Bauer Bennett Bland Boucher Bray 84

Burton Campbell Carter Champion Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Donovan Dougherty Farnen Fitzwater Foley

Ford Franklin Fritts Gaskill Gibbons

Graham 106 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Heckemeyer

Hickey Hilgemann Holand Hollingsworth Hosmer

Johnson Kasten Kauffman Kelly 27 Kennedy

Koller Kreider Lakin Lawson Leake

Legan Liese Long Luetkenhaus May 108

Mays 50 McBride McClelland McLuckie Merideth

Monaco Murphy Murray O'Toole Ostmann

Overschmidt Parker Ransdall Relford Reynolds

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Townley Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 047

Akin Ballard Barnett Bartelsmeyer Berkstresser

Boatright Broach Chrismer Cierpiot Dolan

Edwards-Pavia Elliott Enz Evans Foster

Froelker Gaston Graham 24 Hall Hartzler 124

Hegeman Hendrickson Hohulin Hoppe Howerton

Kissell Klindt Levin Linton Lograsso

Loudon Marble Miller Naeger Nordwald

Patek Pouche Pryor Purgason Reinhart

Richardson Ridgeway Secrest Sheldon 104 Summers

Surface Treadway

PRESENT: 001

Bonner

ABSENT WITH LEAVE: 003

Kelley 47 O'Connor Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Ransdall, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Fritts moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

HCS SS SCS SBs 675, 483, 490 & 564, relating to circuit breaker, was taken up by Representative Scheve.

Representative Scheve offered HS#2 HCS SS SCS SBs 675, 483, 490 & 564.

Representative Scheve offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 675, 483, 490 & 564, Page 1, Section 135.030, Line 13 by inserting after the number "1." the following: "Sections 135.010 to 135.030 shall be known as the "Senior Citizen Housing for an Economically Viable Economy."; and

Further amend said bill, Section 135.030 by renumbering said section.

Representative Scheve moved that House Amendment No. 1 be adopted.

Which motion was defeated.

Representative Hollingsworth offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 675, 483, 490 & 564, Page 2, Section 135.030, Line 7 of said page by deleting the number "twenty-three" and inserting in lieu thereof the number "twenty-four"; and

Further amend said substitute, Page 3, Section 135.030, Line 1 of said page by deleting the number "eight" and inserting in lieu thereof the number "nine"; and

Further amend said substitute, Page 5, Section 135.032, Line 14 of said page by deleting the number "sixty" and inserting in lieu thereof the number "sixty-five"; and

Further amend said substitute, Page 5, Section 135.032, Line 16 of said page by deleting the number "twenty-five" and inserting in lieu thereof the number "thirty".

Representative Schilling offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1

for

House Amendment No. 2

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 675, 483, 490 & 564, Page 2, Section 135.030, Line 7 of said page by deleting the number "twenty-three" and inserting in lieu thereof the number "twenty-five"; and

Further amend said substitute, Page 3, Section 135.030, Lines 1 and 2 of said page by deleting the number "twelve thousand eight hundred" and inserting in lieu thereof the number "thirteen thousand"; and

Further amend said substitute, Page 5, Section 135.032, Line 14 of said page by deleting the number "sixty" and inserting in lieu thereof the number "seventy"; and

Further amend said substitute, Page 5, Section 135.032, Line 16 of said page by deleting the number "twenty-five" and inserting in lieu thereof the number "thirty-five".

On motion of Representative Schilling, House Substitute Amendment No. 1 for House Amendment No. 2 was adopted by the following vote:

AYES: 132

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Campbell Carter Champion Chrismer Cierpiot

Clayton Cooper Crawford Crump Davis 122

Davis 63 Days DeMarce Dougherty Edwards-Pavia

Enz Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaston Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Levin

Liese Lograsso Long Luetkenhaus May 108

Mays 50 McBride McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Scheve Schilling

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Thomason 163 Thompson 72 Treadway

Van Zandt Vogel Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 021

Akin Ballard Boatright Burton Donovan

Elliott Evans Gaskill Gibbons Kasten

Legan Linton Loudon Marble McClelland

Sallee Scott Surface Townley Wannenmacher

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Daniel 42 Daniels 41 Dolan Ford

Schwab Shear Thompson 37 Troupe

VACANCIES: 001

Representative Luetkenhaus requested a verification of the roll call on the adoption of House Substitute

Amendment No. 1 for House Amendment No. 2.

Representative Kissell offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 675, 483, 490 & 564, Page 1, Lines 3 and 4 of the Title by deleting all of said lines and inserting in lieu thereof the following: "relating solely to broad-based income tax credits for property taxes paid on a homestead and dependency deductions, and to enact in"; and

Further amend said substitute, Page 9, Section 135.032, Line 9 of said page by inserting after said line the following:

"143.161. 1. A resident may deduct [four] eight hundred dollars for each dependent for whom [he] such resident is entitled to a dependency exemption deduction for federal income tax purposes. In the case of a dependent who is not residing in a facility qualified to receive federal or state funding and who has attained sixty-five years of age on or before the last day of the taxable year, the taxpayer may deduct an additional one thousand dollars.

2. A resident who qualifies as an unmarried head of household or as a surviving spouse for federal income tax purposes may deduct an additional eight hundred dollars.

3. This section shall become effective January 1, 1999, and shall apply to all taxable years beginning after December 31, 1998."; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Kreider offered House Substitute Amendment No. 1 for House Amendment

No. 3.

House Substitute Amendment No. 1

for

House Amendment No. 3

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 675, 483, 490 & 564, Page 1, Lines 3 and 4 of the Title by deleting all of said lines and inserting in lieu thereof the following: "relating solely to broad-based income tax credits based upon property taxes paid on a homestead and dependency deductions, and to enact in"; and

Further amend said substitute, Page 9, Section 135.032, Line 9 of said page by inserting after said line the following:

"143.161. 1. A resident may deduct [four] one thousand two hundred dollars for each dependent for whom [he] such resident is entitled to a dependency exemption deduction for federal income tax purposes. In the case of a dependent who is not residing in a facility qualified to receive federal or state funding and who has attained sixty-five years of age on or before the last day of the taxable year, the taxpayer may deduct an additional one thousand dollars.

2. A resident who qualifies as an unmarried head of household or as a surviving spouse for federal income tax purposes may deduct an additional eight hundred dollars.

3. This section shall become effective January 1, 1999, and shall apply to all taxable years beginning after December 31, 1998."; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Kreider, House Substitute Amendment No. 1 for House Amendment No. 3 was

adopted by the following vote:

AYES: 158

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Backer Copeland Ford Shear

VACANCIES: 001

Representative Green offered House Amendment No. 4.

Representative Bray raised a point of order that House Amendment No. 4 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Levin offered House Amendment No. 4.

Representative Scheve raised a point of order that House Amendment No. 4 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Green offered House Amendment No. 4.

Representative Bray raised a point of order that House Amendment No. 4 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Crawford offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, 483, 490 & 564, Page 9, Section 135.032, Line 9 of said page, by inserting after said line the following:

"Section 1. The dependency deduction amount authorized under the provisions of section 143.161, RSMo, shall be adjusted annually by the percentage change in the consumer price index for urban consumers."

Representative Scheve raised a point of order that House Amendment No. 4 amends previously amended material and is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Crawford, House Amendment No. 4 was adopted by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Foster Fritts

Froelker Gaskill Gaston Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wooten Mr. Speaker

NOES: 008

DeMarce Franklin Gibbons Harlan Kauffman

McClelland Ostmann Wilson

PRESENT: 000

ABSENT WITH LEAVE: 005

Copeland Ford Pryor Shear Thompson 37

VACANCIES: 001

Representative Gibbons offered House Amendment No. 5.

Representative DeMarce raised a point of order that House Amendment No. 5 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Naeger offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Bills Nos. 675, 483, 490 & 564, Page 9, Section 135.032, Lines 8 & 9, by deleting all of said lines.

Representative DeMarce raised a point of order that House Amendment No. 5 amends previously amended material.

The Chair ruled the point of order not well taken.

On motion of Representative Naeger, House Amendment No. 5 was adopted by the following vote:

AYES: 137

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Boatright Bonner Broach

Burton Campbell Champion Chrismer Cierpiot

Clayton Cooper Crump Daniels 41 Davis 122

DeMarce Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Foster Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Summers Surface Thomason 163 Thompson 72 Townley

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wooten Mr. Speaker

NOES: 011

Bland Bray 84 Carter Daniel 42 Days

Franklin McLuckie Stroker Troupe Van Zandt

Wilson

PRESENT: 000

ABSENT WITH LEAVE: 014

Boucher Copeland Crawford Davis 63 Dolan

Ford Harlan Kreider Long Pryor

Shear Sheldon 104 Thompson 37 Treadway

VACANCIES: 001

Representative Pouche offered House Amendment No. 6.

Representative Scheve raised a point of order that House Amendment No. 6 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Patek offered House Amendment No. 6.

Representative Scheve raised a point of order that House Amendment No. 6 amends previously amended material.

Representative DeMarce raised an additional point of order that House Amendment No. 6 goes beyond the scope of the bill.

The Chair ruled the points of order well taken.

Representative McClelland offered House Amendment No. 6.

Representative Bray raised a point of order that House Amendment No. 6 amends previously amended material.

Representative DeMarce raised an additional point of order that House Amendment No. 6 goes beyond the scope of the bill.

The Chair ruled the points of order well taken.

Representative Richardson offered House Amendment No. 6.

Representative Bray raised a point of order that House Amendment No. 6 amends previously amended material.

The Chair ruled the point of order well taken.

Representative Evans offered House Amendment No. 6.

Representative DeMarce raised a point of order that House Amendment No. 6 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Leake offered House Amendment No. 6.

Representative Monaco raised a point of order that House Amendment No. 6 amends previously amended material and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Scheve, HS#2 HCS SS SCS SBs 675, 483, 490 & 564, as amended, was adopted by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Thomason 163 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Gibbons

PRESENT: 000

ABSENT WITH LEAVE: 006

Chrismer Davis 63 Pryor Shear Surface

Thompson 37

VACANCIES: 001

On motion of Representative Scheve, HS#2 HCS SS SCS SBs 675, 483, 490 & 564, as amended, was read the third time and passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 001

Gibbons

PRESENT: 000

ABSENT WITH LEAVE: 004

Davis 63 Pryor Shear Thompson 37

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative O'Connor, title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 30 - Miscellaneous Bills and Resolutions

COMMITTEE REPORTS

Committee on Consumer Protection, Chairman McLuckie reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred SCS SB 522, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Mr. Speaker: Your Committee on Consumer Protection, to which was referred SCS SB 762, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred HCR 17, begs leave to report it has examined the same and recommends that it Do Pass.

House Concurrent Resolution No. 17

RESOLUTION RELATING TO RATIFICATION OF

THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF

ALL FORMS OF DISCRIMINATION AGAINST WOMEN

WHEREAS, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women was adopted by the United Nations General Assembly on December 18, 1979, became an international treaty on September 3, 1981, and by January of 1988, 161 nations including all members of the United Nations in the industrialized world, except the United States, have ratified or acceded to the Convention's provisions; and

WHEREAS, the United States supports and has a position of leadership in the United Nations, was an active participant in the drafting, and is a signatory to the Convention; and

WHEREAS, the spirit of the Convention is rooted in the goals of the United Nations, and the United States, to affirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women; and

WHEREAS, the Convention provides a comprehensive framework for challenging the various forces that have created and sustained discrimination based on gender against half of the world's population, and the nations in support of the present Convention have agreed to follow Convention prescriptions; and

WHEREAS, although women have made major gains in the struggle for equality in social, business, political, legal, educational, and other fields in this century, there is much yet to be accomplished, and through its support, leadership, and prestige, the United States can help create a world where women are no longer discriminated against and have achieved one of the most fundamental of human rights, equality; and

WHEREAS, President Bill Clinton and Secretary of State Madeleine Albright have placed this treaty, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, in the highest category of priority in order to accelerate the treaty's passage through the U.S. Senate Foreign Relations Committee and the full U.S. Senate, with the goal of United States ratification:

NOW, THEREFORE, BE IT RESOLVED that this legislative body exhort the United States Senate Foreign Relations Committee to pass this treaty favorably out of Committee; and

BE IT FURTHER RESOLVED that this legislative body strongly urge the Senate of the United States to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women and support the Convention's continuing goals; and

BE IT FURTHER RESOLVED that copies of this Resolution, suitably engrossed, be transmitted to President Bill Clinton, Secretary of State Madeleine Albright, President of the Senate Al Gore, Chair of the Senate Foreign Relations Committee, Jesse Helms, and all members of the Missouri State Congressional Delegation.

Mr. Speaker: Your Committee on Critical Issues, to which was referred HJR 41, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Critical Issues, to which was referred SCR 37, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

HOUSE COMMITTEE SUBSTITUTE FOR

SENATE COMMITTEE SUBSTITUTE FOR

SENATE CONCURRENT RESOLUTION NO. 37

WHEREAS, the elderly population in the state is growing at a significant and unprecedented rate; and

WHEREAS, the increasing elderly population in the state will place unprecedented demands upon the state's long term care delivery system; and

WHEREAS, the federal government's approach to mandates and entitlements regarding Medicare and Medicaid funding for long term care services for the elderly is changing; and

WHEREAS, the elderly expect that their needs will be provided in an environment that allows greater flexibility through a "continuum of care"; and

WHEREAS, an in-depth study and evaluation must be made of the alternatives and strategies available for the delivery of long term care services to the growing elderly population in Missouri;

NOW THEREFORE BE IT RESOLVED that the members of the Senate, eighty-ninth General Assembly, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on Aging" to be composed of ten members. The members shall consist of five state senators appointed by the President pro tem of the Senate and five representatives appointed by the Speaker of the House of Representatives, with no more than three from each house being members of the same political party; and

BE IT FURTHER RESOLVED that the President pro tem of the Senate and Speaker of the House of Representatives shall appoint the members of the committee and shall choose one such member as chairperson to serve as co-chairs of the joint interim committee on aging by June 1, 1998, and such committee shall meet within ten days of its establishment; and

BE IT FURTHER RESOLVED that the committee may solicit any input and information necessary to fulfill its obligations from the Department of Social Services, the Department of Health and representatives of citizen groups formed to address issues regarding Missouri's elderly population; and

BE IT FURTHER RESOLVED that the Governor's Advisory Council on Aging supports the concept of an interim committee on aging as established by the General Assembly, and furthermore, the Council agrees to be available to advise and assist the Joint Interim committee on Aging with this initiative however possible, and shall be prepared to provide information and assistance to the committee; and

BE IT FURTHER RESOLVED that the committee shall make an in-depth study and evaluation of the availability and quality of long term care services throughout the state to meet the needs of the growing aging population and research the possible strategies and alternatives to expand the continuum of care to meeting those needs in Missouri; and

BE IT FURTHER RESOLVED that the committee review the Certificate of Need process established through the Missouri Health Facilities Review Committee as it affects the availability and quality of long term care beds, and furthermore study how the Certificate of Need process affects the long term care industry's ability to serve the various individual care needs of their residents, and furthermore assess the need for flexibility in the reallocation

of beds and/or the expansion of beds in long term care facilities that prove such beds are needed through bed occupancy and quality indicators, and furthermore as it affects the Certificate of Need process and the state budget, the committee shall study the changes in the federal mandate in order to suggest changes in the Medicaid reimbursement process for long term care facilities to reflect payment based on care needs; and

BE IT FURTHER RESOLVED that the committee shall prepare a report, together with its recommendations for any legislative action it deems necessary for submission to this Governor and General Assembly by January 5, 1999, and then shall be dissolved; and

BE IT FURTHER RESOLVED that the expenses of committee members and legislative staff, the actual and necessary expenses of the committee necessary for the committee to complete its study shall be paid from the Joint Contingent Fund, subject to prior approval by the Senate Committee on Administration, and

BE IT FURTHER RESOLVED that the staff of Senate Research and House Research and the Committee on Legislative Research shall provide such legal, research clerical, technical and bill drafting services as the committee may require in the performance of its duties, and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution to be delivered to the Governor and the Director of the Department of Social Services.

Mr. Speaker: Your Committee on Critical Issues, to which was referred SCS SB 523, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1 and House Committee Amendment No. 2.

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 523, Section 355.930, Page 8, Line 11, by inserting immediately after said line the following:

"Section 1. Sections 355.900 to 355.930, RSMo, shall apply to the merger with a county hospital or acquisition of a county hospital or its assets. For purposes of this section, "county hospital" means a hospital established, organized, and maintained pursuant to Sections 205.160 to 205.379, RSMo."; and

further amend the title and enacting clause accordingly.

House Committee Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 523, Page 7, Section 355.929, Lines 13 - 15, by deleting all of said lines; and further amend remaining subsections accordingly.

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred SB 745, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred SCS SB 613, begs leave to report it has examined the same and recommends that the House Committee Substitute Do Pass.

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred HR 1246, begs leave to report it has examined the same and recommends that it Do Pass.

House Resolution No. 1246

WHEREAS, the members of the Missouri House of Representatives are fully cognizant of the important role which the military plays in the overall security of this great state and nation; and

WHEREAS, there would be no military without the willingness of the individual citizen to serve in one of the various branches of the United States Armed Forces; and

WHEREAS, Judson M. Thompson has made the decision to re-enlist in the U.S. Army for another six years:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, hereby grant permission to use the House Chamber on May 26, 1998, from 9:00 a.m. to 9:30 a.m. for the purpose of swearing in and presentation of the United States flag to Judson M. Thompson.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred SCR 39, begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred SCR 43, begs leave to report it has examined the same and recommends that it Do Pass.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

State of Missouri

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

SECOND REGULAR SESSION

89TH GENERAL ASSEMBLY

STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for House Bill No. 1480 entitled:

"AN ACT"

To repeal sections 59.220 and 109.221, RSMo Supp. 1997, relating to the use of local funds, and to enact in lieu thereof two new sections relating to the same subject.

On May 6, 1998, I approved said Senate Committee Substitute for House Bill No. 1480.

Respectfully submitted

/s/ Mel Carnahan

Governor

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted HS HCS SCS SB 501, as amended and has taken up and passed HS HCS SCS SB 501, as amended.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on HCS SB 778, and has taken up and passed CCS HCS SB 778.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, May 7, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-sixth Day, Tuesday, May 5, 1998, pages 1435 and 1436, roll call, by showing Representatives Bennett, Kreider and Williams (121) voting "aye" rather than "absent with leave".

Page 1437, roll call, by showing Representatives Bennett, Miller and Purgason voting "aye" rather than "absent with leave".

Pages 1437 and 1438, roll call, by showing Representative Barry voting "aye" rather than "no".

Pages 1437 and 1438, roll call, by showing Representative Bennett voting "aye" rather than "absent with leave".

Pages 1438 and 1439, roll call, by showing Representative Bennett voting "aye" rather than "absent with leave".

Pages 1439 and 1440, roll call, by showing Representative Bennett voting "aye" rather than "absent with leave".

Pages 1440 and 1441, roll call, by showing Representatives Bennett, Gaston, Hoppe and Kennedy voting "aye" rather than "absent with leave".

Pages 1441 and 1442, roll call, by showing Representatives Bennett, Gaston, Hoppe and Johnson voting "aye" rather than "absent with leave".

Pages 1442 and 1443, roll call, by showing Representatives Bennett, Cooper, Gaston and Kennedy voting "aye" rather than "absent with leave".

Page 1443, roll call, by showing Representatives Bennett, Gaston and Ladd Stokan voting "aye" rather than "absent with leave".

Page 1444, roll call, by showing Representatives Bennett, Hoppe, Kissell, Liese, Linton and Ladd Stokan voting "aye" rather than "absent with leave".

Page 1444, roll call, by showing Representatives Gaston and Patek voting "no" rather than "absent with leave".

Page 1445, roll call, by showing Representatives Bennett, Hoppe, Lawson, Liese, Linton and Ladd Stokan voting "aye" rather than "absent with leave".

Page 1445, roll call, by showing Representative Edwards-Pavia voting "no" rather than "absent with leave".

Page 1451, roll call, by showing Representative Pryor voting "no" rather than "absent with leave".

Page 1452, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

Page 1452, roll call, by showing Representative Pryor voting "no" rather than "absent with leave".

Page 1453, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 1453, roll call, by showing Representative Pryor voting "no" rather than "absent with leave".

Pages 1453 and 1454, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1453 and 1454, roll call, by showing Representative Pryor voting "no" rather than "absent with leave".

Pages 1455 and 1456, roll call, by showing Representatives Kelly (27) and Williams (121) voting "aye" rather than "absent with leave".

Pages 1455 and 1456, roll call, by showing Representative Pryor voting "no" rather than "absent with leave".

Pages 1456 and 1457, roll call, by showing Representative Pryor voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

ELECTIONS

Thursday, May 7, 1998, 9:00 am. Hearing Room 5. AMENDED Executive session on SB 709.

To be considered - SB 709

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY & PLANNING

Monday, May 11, 1998, 1:00 pm. Senate Committee Room #1 (118). Dept. of

Economic Development on Sister Cities.

HOUSE CALENDAR

Sixty-eighth Day, Thursday, May 7, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

3 HCS HB 1674, HS#2, as amended, pending, - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1124 - Days

3 HS HB 1796 - Harlan

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR THIRD READING

1 HCS SB 487 - Auer

2 HCS SS SCS SB 781 - Stoll

3 HCS SB 787 - Riback Wilson

4 HCS SB 615 - Treadway

5 HCS SB 827 - Rizzo

6 SB 743 - Hoppe

7 HCS SCS SB 614,696,906,530,912 & 914 - May (108)

8 HCS SB 680 - May (108)

9 HCS SB 936 - Bray

10 SCS SB 561, HCA 1 - Boucher

11 HCS SS SCS SB 583 & 645 - Thomason (163)

12 HCS SB 619 - Stoll

13 HCS SB 674 - Riback Wilson

14 HCS SS SB 792 - Liese

15 HCS SCS SB 922 - Luetkenhaus

HOUSE BILLS WITH SENATE AMENDMENTS

1 HB 1113, SCA 1 - DeMarce

2 SCS HB 1145 - Lakin

3 HB 1300, SCA 1 - Kennedy

4 SCS HB 1385 - Summers

5 HB 1622, SCA 1 - Fritts

6 SCS HB 1556 - Dougherty

7 HB 1369, SCA 1 - Smith

8 SCS HB 1528 - Smith

9 SCS HB 1309 - Clayton

10 SCS HB 1571 - Monaco

11 HB 1088, SA 1 - Boucher

12 SCS HS HCS HB 1636, as amended - Hoppe

BILLS CARRYING REQUEST MESSAGES

1 SCS HCS HB 1681 & 1342, a.a. (Req. Sen. recede/grant conf.) - Koller

2 SS SCS HS HCS HB 1095, (Reg. Sen. recede/grant conf.) - Smith

BILLS IN CONFERENCE

1 CCR HCS SB 778 - Hoppe

2 HCS SB 809 - Hoppe

3 CCR HB 1410, as amended - Luetkenhaus

4 HCS SB 883, as amended - Koller

5 HCS SB 739 - Stoll

6 SCS HB 927, as amended - Hosmer

7 SCS HB 1052 - Ford

8 SCS HS HCS HB 1161, as amended, E.C. - Wiggins

HOUSE RESOLUTIONS

1 HR 38, (March 10, 1998, pg. 511) - Williams (121)

2 HR 130, (March 10, 1998, pg. 511) - Gratz

3 HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

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House Journal

Second Regular Session, 89th General Assembly

SIXTY-EIGHTH DAY, Thursday, May 7, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

On this National Day of Prayer, O Lord, let us pause to lift our hearts to You. Often times our prayers are as selfish as our wants and desires. Forgive us, Lord, when it seems that the decisions we make are based more on human emotion, personal opinion and private agenda than on prayerful discernment. Remind us that You deal with issues from the perspective of grace, mercy, forgiveness, love and compassion.

Let us remember, O Holy God, that You are neither Democrat, Republican, nor Independent, but rather, that You stand on the side of the poor, the oppressed, the victimized, the marginalized, the voiceless in an unjust and inequitable society.

As the days of this session draw to a close, hear our prayers for courage to stand for what we believe, stamina to withstand long days and late nights, vision to see beyond our own agendas, and gratitude for loving us in spite of ourselves. Hear our heart cries, O God, and sustain us. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Anastasia Sepikova, Anthony Coleman, Bryce Robinson, Stephanie Addison, Jordan Ferger, Andrew Guin, Chelsea Ringo, Jennifer Reilly, Adrianne MacMillen, Kellie Brady, Shawn Blake, Alexandra Smith, Jessica Humphrey, Brandon Halpin, Emily Yoder, Jeff Cohee, Jessica Besaw and Rachel Coffelt.

The Journal of the sixty-seventh day was approved as corrected.

RESOLUTIONS

Representative Luetkenhaus offered House Resolution No. 1314, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1315, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Leake offered House Resolution No. 1316, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 1317, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shields offered House Resolution No. 1318 and House Resolution No. 1319, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray offered House Resolution No. 1320, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Summers offered House Resolution No. 1321, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelley (47) offered House Resolution No. 1322, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Harlan offered House Resolution No. 1323, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 955, HB 968, HB 986, HB 996, HB 1090, HB 1120, HB 1160, HB 1162, HB 1228, HB 1299, HB 1357, HB 1374, HB 1578, HB 1588, HB 1705, HB 1707, HB 1718, HB 1747** and **HB 1794**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution No. 1160** through **House Resolution No. 1245** and **House Resolution No. 1247** through **House Resolution No. 1313**, begs leave to report it has examined the same and recommends that they **Do Pass**.

BILLS IN CONFERENCE

CCR HB 1410, as amended, relating to license plates for physically disabled, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **CCR HB 1410, as amended,** was adopted by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 001

Cooper

PRESENT: 000

ABSENT WITH LEAVE: 004

Hickey Lakin Shear Sheldon 104

VACANCIES: 001

On motion of Representative Luetkenhaus, **HB 1410, as amended by the CCR,** was read the third time and passed by the following vote:

AYES: 151

Akin Alter Auer Backer Barnett

Barry 100 Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Clayton Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Cooper

PRESENT: 000

ABSENT WITH LEAVE: 010

Ballard Bartelsmeyer Cierpiot Dolan Franklin

Hagan-Harrell Hickey Lakin Shear Sheldon 104

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Dougherty moved that motion lay on the table.

The latter motion prevailed.

CCR HCS SB 778, relating to property tax collections, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to adopt **CCR HCS SB 778** and request the Senate to grant the House a further conference.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

HB 1113, with Senate Committee Amendment No. 1, relating to county roads, was taken up by Representative DeMarce.

On motion of Representative DeMarce, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 005

Hickey Hohulin Lakin Shear Sheldon 104

VACANCIES: 001

On motion of Representative DeMarce, **HB 1113, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Fritts Froelker Gaskill Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hendrickson Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lawson Leake Legan Levin Liese

Linton Long Loudon Luetkenhaus Marble

May 108 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

NOES: 004

Gaston Hohulin Lograsso Murphy

PRESENT: 000

ABSENT WITH LEAVE: 010

Barry 100 Franklin Hegeman Hickey Lakin

Mays 50 Shear Sheldon 104 Troupe Wooten

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Auer moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

HB 1300, with Senate Committe Amendment No. 1, relating to temporary permits, was taken up by Representative Kennedy.

On motion of Representative Kennedy, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hilgemann Hohulin

Hollingsworth Hoppe Hosmer Howerton Johnson

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Hickey Holand Kasten Lakin Shear

Sheldon 104

VACANCIES: 001

On motion of Representative Kennedy, **HB 1300, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Holand Hollingsworth Hoppe Hosmer

Howerton Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lawson Leake Legan Levin Liese

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McLuckie Merideth Miller

Monaco Murphy Murray Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Smith Steen Stokan Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Bauer Crump Green Hickey Hohulin

Johnson Lakin Linton Lograsso McClelland

Naeger Pryor Shear Sheldon 104 Stoll

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Fritts moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1385, relating to public water districts, was taken up by Representative Summers.

On motion of Representative Summers, **SCS HB 1385** was adopted by the following vote:

AYES: 143

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 63 Days DeMarce Dougherty

Edwards-Pavia Enz Evans Farnen Foley

Ford Foster Fritts Froelker Gaskill

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Lawson Leake Levin Liese

Lograsso Long Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Shields Skaggs Smith Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 159

Wilson Wooten Mr. Speaker

NOES: 010

Davis 122 Elliott Fitzwater Gaston Hohulin

Kreider Legan Loudon Pryor Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 009

Dolan Donovan Franklin Hickey Lakin

Linton Shear Sheldon 104 Steen

VACANCIES: 001

On motion of Representative Summers, **SCS HB 1385** was truly agreed to and finally passed by the following vote:

AYES: 146

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Fritts Froelker Gaskill Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Koller Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Purgason
Ransdall Reinhart Relford Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Shelton 57 Shields Skaggs Smith Stokan
Stoll Stroker Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Van Zandt Vogel
Wannenmacher Wiggins Williams 159 Wilson Wooten
Mr. Speaker

NOES: 004

Gaston Kreider Pryor Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 012

Berkstresser Dolan Franklin Hickey Klindt
Lakin Reynolds Shear Sheldon 104 Steen
Summers Troupe

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Koller, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 987**, entitled:

An act to repeal section 451.100, RSMo 1994, and section 451.040, RSMo Supp. 1997, relating to applications for marriage licenses, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1033.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1043**, entitled:

An act relating to certain operations of government.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1066**, entitled:

An act to repeal section 400.9-313, RSMo 1994, relating to security interests in fixtures, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1148.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1157.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1216.**

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1226.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1272**, entitled:

An act to repeal sections 162.471 and 162.481, RSMo 1994, relating to school boards, and to enact in lieu

thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1301**, entitled:

An act to repeal sections 136.365 and 136.370, RSMo 1994, relating to taxation, and to enact in lieu thereof two new sections relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1301, Page 1, In the Title, Line 2, by striking "and 136.370" and inserting in lieu thereof the following: ", 136.370 and 143.751"; and further amend line 3, by striking the word "two" and inserting in lieu thereof the following: "four"; and

Further amend said bill, page 1, section A, line 1, by striking "and 136.370" and inserting in lieu thereof the following: ", 136.370 and 143.751"; and further amend said line, by striking the word "two" and inserting in lieu thereof the following: "four"; and further amend line 2, by striking "136.365 and 136.370" and inserting in lieu thereof the following: "71.625, 136.365, 136.370 and 143.751"; and further amend said line, by inserting immediately after said line the following:

"**71.625. The timely payment of a license tax due to any municipal corporation in this state, or any county pursuant to section 66.300, RSMo, which is delivered by United States mail to the municipality or county office designated by such municipality or county office to receive such payments, shall be deemed paid as of the postmark date stamped on the envelope or other cover in which such payment is mailed. In the event any payment of tax due is sent by registered or certified mail, the date of the registration or certification shall be deemed the postmark date. No additional tax, penalty or interest shall be imposed by any municipality or county on any taxpayer whose payment is delivered by United States mail, if the postmark date stamped on the envelope or other cover containing such payment falls within the prescribed period on or before the prescribed date, including any extension granted, for making the payment. When the last day for making any license tax payment, including extensions, falls on a Saturday, a Sunday, or a legal holiday in this state, the payment shall be considered timely if the payment is made on the next succeeding day which is not a Saturday, Sunday or legal holiday.**"; and

Further amend said bill, page 2, section 136.370, line 7, by inserting immediately after said line the following:

"143.751. 1. If any part of a deficiency is due to negligence or intentional disregard of rules and regulations (but without intent to defraud) there shall be added to the tax an amount equal to five percent of the deficiency. **The director shall apprise the taxpayer of the factual basis for the finding of negligence, or the specific rules or regulations disregarded, at the time the director issues a proposed assessment. Rules and regulations which have been determined to be inconsistent with the laws of this state, by either the courts of this state or the administrative hearing commission, may not be cited as the basis for an addition to tax under this section.**

2. If any part of a deficiency is due to fraud, there shall be added to the tax an amount equal to fifty percent of the deficiency. This amount shall be in lieu of any amount determined under subsection 1 of this section.

3. If any employer, without intent to evade or defeat any tax imposed by sections 143.011 to 143.996 or the payment thereof, shall fail to make a return and pay a tax withheld by him at the time required by or under the provisions of sections 143.011 to 143.996, such employer shall be liable for such taxes and shall pay the same together with interest thereon and the addition to tax provided in subsection 1 of this section, and such interest and addition to tax shall not be charged to or collected from the employee by the employer. The director of revenue shall have the same rights and powers for the collection of such tax, interest, and addition to tax against such employer as are now prescribed by sections 143.011 to 143.996 for the collection of tax against an individual taxpayer.

4. Any person required to collect, truthfully account for, and pay over the tax imposed by sections 143.011 to 143.996 who willfully fails to collect such tax or truthfully account for and pay over such tax or willfully attempts in any manner to evade or defeat the tax or the payment thereof, shall, in addition to other penalties provided by law, be liable to a penalty equal to the total amount of the tax evaded, or not collected, or not accounted for and paid over. No addition to tax under subsections 1 and 2 of this section shall be imposed for any offense to which this subsection applies.

5. Any person who with fraudulent intent shall fail to pay, or to deduct or withhold and pay, any tax, or to make, render, sign, or certify any return, or to supply any information within the time required by or under sections 143.011 to 143.996, shall be liable to a penalty of not more than one thousand dollars, in addition to any other amounts required under sections 143.011 to 143.996, to be imposed, assessed and collected by the director of revenue.

6. For purposes of subsections 4 and 5 of this section, the term "persons" includes an individual, corporation, or partnership, or an officer or employee of any corporation (including a dissolved corporation), or a member or employee of any partnership, who, as such officer, employee, or member, is under a duty to perform the act in respect of which the violation occurs."

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1476.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1506.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1531.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1587.**

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1599**, entitled:

An act to repeal sections 50.1000, 50.1040, 50.1090, 50.1100 and 50.1140, RSMo 1994, and section 50.1110, RSMo Supp. 1997, relating to county employee retirement, and to enact in lieu thereof six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1600.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1744.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1791**, entitled:

An act relating to the creation of the mid-America port authority, with an emergency clause.

With Senate Committee Amendment Nos. 1, 2, and 3.

Senate Committee Amendment No. 1

AMEND House Bill No. 1791, Page 2, Section 4, Line 6, by inserting immediately after said line the following:

"**3. The mid-America port commission shall exercise no control over the operation of port authorities established pursuant to sections 68.010 to 68.070, RSMo, except by voluntary agreement between said port authority and the commission.**".

Senate Committee Amendment No. 2

AMEND House Bill No. 1791, Page 1, In the Title, Line 2, by striking the following: ", with an emergency clause"; and

Further amend said bill, page 3, Section A, lines 1-5, by striking all of said lines.

Senate Committee Amendment No. 3

AMEND House Bill No. 1791, Page 2, Section 3, Line 12, by inserting after the words "twenty-seven thousand" the following: "**six hundred**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1837.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1847.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1856.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1859**, entitled:

An act to repeal section 263.527 and 263.537, RSMo Supp. 1997, relating to cotton growers assessments, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1862**, entitled:

An act to amend chapter 60, RSMo, relating to land surveys by adding thereto one new section relating to the same subject, with penalty provisions.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1862, Page 1, Section 60.355, Lines 2-4, by striking all of said lines and inserting in lieu thereof the following: "**chapter 327, RSMo, shall knowingly move, remove, deface or destroy any corner of the United States Public Land Survey System, property boundary marker, bench mark or horizontal control monument.**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1905.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1907**, entitled:

An act to repeal section 660.317, RSMo Supp. 1997, relating to criminal background checks for health care employees, and to enact in lieu thereof one new section, relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1918**, entitled:

An act to repeal sections 105.271, 566.023, RSMo 1994, and sections 453.010, 453.015, 453.030, 453.040, 453.070, 453.075, 453.077, 453.080 and 453.170, RSMo Supp. 1997, relating to domestic relations, and to enact in lieu thereof sixteen new sections relating to the same subject, with an effective date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 1095, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators McKenna, Scott, Mathewson, Ehlmann and Childers.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HS HCS HB 1161, as amended**: Senators Goode, Jacob, Maxwell, Childers and Ehlmann.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HBs 1681 & 1342, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Staples, McKenna, Mathewson, Mueller and Flotron.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS #2 HCS SS SCS SBs 675, 483, 490 & 564, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker I am instructed by the Senate to return **SB 945 with House Amendment No. 1** to the House for the purpose of adopting the emergency clause.

MOTIONS

HS #2 HCS SS SCS SBs 675, 483, 490 & 564, as amended, relating to circuit breakers, was taken up by Representative Scheve.

Representative Scheve moved that the House refuse to recede from its position on **HS #2 HCS SS SCS SBs 675, 483, 490 & 564, as amended,** and grant the Senate a conference.

Which motion was adopted.

SCS HB 1918, relating to affirmative defense to sexual offense, was taken up by Representative Lograsso.

Representative Lograsso moved that the House refuse to adopt **SCS HB 1918** and request the Senate to recede from its position or, failing to do so, grant the House a conference and the conferees be allowed to exceed the differences.

Which motion was adopted.

HB 1622, with Senate Committee Amendment No. 1, relating to public water districts, was taken up by Representative Fritts.

On motion of Representative Fritts, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lawson Leake

Legan Levin Liese Linton Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor Ostmann

Overschmidt Parker Patek Pouche Purgason

Ransdall Relford Reynolds Richardson Ridgeway

Rizzo Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 002

Lograsso Murphy

PRESENT: 000

ABSENT WITH LEAVE: 012

Copeland Ford Hickey Lakin McClelland

O'Toole Pryor Reinhart Robirds Shear

Sheldon 104 Troupe

VACANCIES: 001

On motion of Representative Fritts, **HB 1622, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Carter

Champion Cierpiot Clayton Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 002

Lograsso Murphy

PRESENT: 000

ABSENT WITH LEAVE: 013

Campbell Chrismer Cooper Copeland Ford

Green Hickey Lakin Patek Pryor

Shear Sheldon 104 Troupe

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Kennedy, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1556, relating to child protection system, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **SCS HB 1556** was adopted by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Cierpiot Clayton Cooper Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Pouche Pryor Purgason Ransdall

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Crawford

PRESENT: 000

ABSENT WITH LEAVE: 012

Champion Chrismer Copeland Ford Green

Hickey Lakin Lograsso Patek Reinhart

Shear Sheldon 104

VACANCIES: 001

On motion of Representative Dougherty, **SCS HB 1556** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard Copeland Ford Hickey Lakin

Pryor Shear Sheldon 104

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Johnson, title to the bill was agreed to.

Representative Parker moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

HB 1369, with Senate Committee Amendment No. 1, relating to oil spill liability, was taken up by Representative Smith.

On motion of Representative Smith, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Crawford Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Foster Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lawson Leake Legan Levin Liese

Linton Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 002

Murphy Troupe

PRESENT: 000

ABSENT WITH LEAVE: 011

Copeland Crump Dolan Ford Franklin

Hickey Lakin Lograsso Pryor Shear

Sheldon 104

VACANCIES: 001

On motion of Representative Smith, **HB 1369, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 147

Alter Auer Ballard Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Crawford Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Pouche
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Akin Backer Cooper Copeland Crump
Dolan Ford Franklin Gross Hickey
Lograsso Patek Pryor Shear Sheldon 104

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Fritts moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1528, relating to sheriff's charges, was taken up by Representative Smith.

On motion of Representative Smith, **SCS HB 1528** was adopted by the following vote:

AYES: 143

Alter Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Chrismer Cierpiot Clayton Crawford Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Foster Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hilgemann Hohulin Hollingsworth Hoppe
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Lakin Lawson Leake Legan Levin
Linton Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Van Zandt Vogel Wiggins Williams 121
Williams 159 Wilson Mr. Speaker

NOES: 008

Champion Holand Hosmer Kreider Liese
Murphy Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 011

Akin Cooper Copeland Dougherty Ford
Franklin Hickey Ridgeway Shear Sheldon 104
Troupe

VACANCIES: 001

On motion of Representative Smith, **SCS HB 1528** was truly agreed to and finally passed by the following vote:

AYES: 140

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Chrismer Cierpiot Clayton Crawford
Crump Daniel 42 Daniels 41 Davis 122 Days
DeMarce Dolan Donovan Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Foster Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hendrickson
Hilgemann Hohulin Hollingsworth Hoppe Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Lakin
Lawson Leake Levin Liese Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schwab Scott
Secrest Seigfreid Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 008

Champion Holand Hosmer Kreider Murphy
Schilling Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 014

Cooper Copeland Davis 63 Dougherty Ford
Franklin Hegeman Hickey Legan Linton
Lograsso Pryor Shear Sheldon 104

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1309, relating to changing laws regarding certain mergers, was taken up by Representative Clayton.

On motion of Representative Clayton, **SCS HB 1309** was adopted by the following vote:

AYES: 147

Akin Alter Auer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Bland Boatright Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Cierpiot Clayton Cooper Crawford Crump
Daniel 42 Daniels 41 Davis 122 Days DeMarce
Dolan Donovan Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Foster
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Long
Loudon Luetkenhaus Marble May 108 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek

Pouche Purgason Ransdall Reinhart Relford

Reynolds Richardson Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Backer Berkstresser Chrismer Copeland Davis 63

Dougherty Ford Franklin Hickey Lograsso

Mays 50 Pryor Ridgeway Shear Sheldon 104

VACANCIES: 001

On motion of Representative Clayton, **SCS HB 1309** was truly agreed to and finally passed by the following vote:

AYES: 140

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Foster Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hoppe

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 Mays 50 McClelland

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Pouche Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Surface Thomason 163 Thompson 72 Townley

Treadway Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Backer Bland Cooper Copeland Dolan

Ford Franklin Green Hickey Hosmer

Lograsso McBride McLuckie Patek Pryor

Purgason Ridgeway Shear Sheldon 104 Summers

Thompson 37 Troupe

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Riback Wilson, title to the bill was agreed to.

Representative Auer moved that the vote by which the bill passed be reconsidered.

Representative Bauer moved that motion lay on the table.

The latter motion prevailed.

Representative Auer assumed the Chair.

Speaker Pro Tem Kreider resumed the Chair.

SCS HB 1571, relating to fiduciaries, was taken up by Representative Monaco.

On motion of Representative Monaco, **SCS HB 1571** was adopted by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Crawford Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Foster Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murray
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Van Zandt Vogel Wannenmacher Wiggins Williams 159
Wilson Wooten Mr. Speaker

NOES: 001

Murphy

PRESENT: 001

Williams 121

ABSENT WITH LEAVE: 012

Copeland Crump Dolan Ford Franklin

Hickey Hilgemann Naeger Ridgeway Shear

Sheldon 104 Troupe

VACANCIES: 001

On motion of Representative Monaco, **SCS HB 1571** was truly agreed to and finally passed by the following vote:

AYES: 143

Alter Auer Backer Ballard Barnett

Barry 100 Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Foster Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hoppe

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wilson Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 018

Akin Bartelsmeyer Bray 84 Copeland Dolan

Ford Franklin Green Hickey Hosmer

Legan Ridgeway Shear Sheldon 104 Steen

Troupe Williams 121 Wooten

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Kennedy, title to the bill was agreed to.

Representative Fritts moved that the vote by which the bill passed be reconsidered.

Representative Thomason (163) moved that motion lay on the table.

The latter motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS #2 HCS SS SCS SBs 675, 483, 490 & 564: Representatives Scheve, Bray, Gaw, Lograsso and Vogel.

HOUSE BILLS WITH SENATE AMENDMENTS

HB 1088, with Senate Amendment No. 1, relating to literacy study of blind students, was taken up by Representative Boucher.

On motion of Representative Boucher, the House concurred in Senate Amendment No. 1 by the following vote:

AYES: 124

Alter Auer Backer Ballard Barnett

Barry 100 Bartlett Bauer Bennett Bland

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Cierpiot Clayton Cooper

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Donovan Dougherty Elliott

Farnen Fitzwater Foley Foster Fritts

Froelker Gaskill Gaston Gibbons Graham 24

Gratz Green Griesheimer Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hilgemann

Holand Hollingsworth Hoppe Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Ransdall Relford Reynolds Richardson

Rizzo Ross Sallee Scheve Schilling

Schwab Secrest Seigfreid Shelton 57 Shields

Skaggs Smith Stokan Stoll Stroker

Surface Thomason 163 Thompson 72 Townley Treadway

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 021

Bartelsmeyer Berkstresser Boatright Champion Chrismer

Crawford Edwards-Pavia Evans Graham 106 Gross

Hall Hegeman Hohulin Linton Lograsso

Patek Pouche Pryor Purgason Reinhart

Steen

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 016

Akin Copeland Dolan Enz Ford

Franklin Hickey Hosmer Ridgeway Robirds

Scott Shear Sheldon 104 Summers Thompson 37

Troupe

VACANCIES: 001

On motion of Representative Boucher, **HB 1088, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 131

Alter Auer Ballard Barnett Barry 100
Bartelsmeyer Bartlett Bauer Bennett Berkstresser
Bland Boatright Bonner Boucher Broach
Burton Campbell Carter Champion Cierpiot
Clayton Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Donovan Dougherty Elliott
Enz Farnen Fitzwater Foley Fritts
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hilgemann Holand Hollingsworth Hoppe Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murphy
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Purgason Ransdall
Reinhart Relford Reynolds Richardson Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Shelton 57
Shields Skaggs Smith Stokan Stoll
Stroker Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 014

Chrismer Cooper Crawford Edwards-Pavia Evans
Foster Gross Hegeman Hohulin Lograsso
Patek Pouche Steen Summers

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 016

Akin Backer Bray 84 Copeland Crump

Dolan Ford Franklin Froelker Hickey

Hosmer Pryor Ridgeway Shear Sheldon 104

Troupe

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Williams (121), title to the bill was agreed to.

Representative Shelton (57) moved that the vote by which the bill passed be reconsidered.

Representative Carter moved that motion lay on the table.

The latter motion prevailed.

SCS HS HCS HB 1636, as amended, relating to community improvement, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to adopt **SCS HS HCS HB 1636, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference and the conferees be allowed to exceed the differences.

Representative Ford made a priviledged motion that **SCS HS HCS HB 1636, as amended**, lay on the table.

Representative Hoppe raised a point of order that the priviledged motion to lay **SCS HS HCS HB 1636, as amended,** on the table is out of order in that there is still a motion pending.

The Chair ruled the point of order not well taken pursuant to Rule 73.

Representative Ford again moved that **SCS HS HCS HB 1636, as amended**, lay on the table.

Which motion was defeated by the following vote:

AYES: 010

Champion Chrismer Davis 63 Ford Gross

Gunn Hendrickson Murphy Thompson 72 Troupe

NOES: 137

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Boatright Bonner Boucher Broach

Burton Campbell Carter Cierpiot Clayton

Cooper Crawford Crump Daniel 42 Daniels 41

Davis 122 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Foster Franklin

Fritts Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Linton Long Loudon

Luetkenhaus Marble May 108 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Townley Van Zandt

Vogel Wannenmacher Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 015

Backer Bland Bray 84 Copeland Froelker

Hickey Hohulin Liese Lograsso Mays 50

Purgason Shear Sheldon 104 Treadway Wiggins

VACANCIES: 001

Representative Troupe made a substitute motion to bind the conferees to the House position to the subdistict in St. Louis districts.

The substitute motion was withdrawn.

Representative Shields made a substitute motion that the House refuse to adopt **SCS HS HCS HB 1636, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted by the following vote:

AYES: 081

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Burton
Champion Chrismer Cierpiot Cooper Crawford
Daniel 42 Daniels 41 Davis 63 Donovan Edwards-Pavia
Elliott Enz Evans Ford Foster
Froelker Gaskill Gaston Gibbons Graham 106
Gross Gunn Hall Hartzler 123 Hartzler 124
Hegeman Hendrickson Hohulin Holand Howerton
Kasten Kauffman Kelley 47 Klindt Legan
Levin Linton Lograsso Long Loudon
Marble McClelland Merideth Miller Murphy
Naeger Nordwald Ostmann Patek Pouche
Pryor Purgason Reinhart Richardson Ridgeway
Robirds Ross Sallee Schwab Scott
Secrest Sheldon 104 Shields Steen Summers
Surface Townley Troupe Vogel Wannenmacher
Wooten

NOES: 078

Auer Backer Barry 100 Bartlett Bauer
Bland Bonner Boucher Bray 84 Campbell
Carter Clayton Copeland Crump Davis 122
Days DeMarce Dolan Dougherty Farnen
Fitzwater Foley Franklin Fritts Graham 24
Gratz Green Griesheimer Hagan-Harrell Harlan
Heckemeyer Hilgemann Hollingsworth Hoppe Hosmer
Johnson Kelly 27 Kennedy Kissell Koller
Kreider Lakin Lawson Leake Liese
Luetkenhaus May 108 Mays 50 McBride McLuckie
Monaco Murray O'Toole Overschmidt Parker
Ransdall Relford Reynolds Rizzo Scheve
Schilling Seigfreid Shelton 57 Skaggs Smith
Stokan Stoll Stroker Thomason 163 Thompson 37
Thompson 72 Treadway Van Zandt Wiggins Williams 121
Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Hickey O'Connor Shear

VACANCIES: 001

MOTION

SB 945, as amended, relating to boll weevil eradication, was taken up by Representative Thomason (163).

On motion of Thomason (163), the emergency clause to **SB 945, as amended,** was adopted by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Elliott Enz

Farnen Fitzwater Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 124

Heckemeyer Hegeman Hilgemann Holand Hollingsworth

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

NOES: 005

Edwards-Pavia Evans Hendrickson Hohulin Sheldon 104

PRESENT: 001

Ford

ABSENT WITH LEAVE: 008

Foley Hartzler 123 Hickey Hoppe Pryor

Ridgeway Shear Wooten

VACANCIES: 001

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 1145, relating to publication of legal notices, was taken up by Representative Lakin.

On motion of Representative Lakin, **SCS HB 1145** was adopted by the following vote:

AYES: 150

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 124 Heckemeyer

Hegeman Hendrickson Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble
May 108 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Backer Bland Copeland Davis 63 Green
Hartzler 123 Hickey Legan Mays 50 Ridgeway
Shear Wooten

VACANCIES: 001

On motion of Representative Lakin, **SCS HB 1145** was truly agreed to and finally passed by the following vote:

AYES: 149

Akin Alter Auer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser
Bland Boatright Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Crawford
Crump Daniel 42 Daniels 41 Davis 122 Days
DeMarce Dolan Donovan Dougherty Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foley Foster Franklin Fritts Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 124 Heckemeyer Hegeman
Hendrickson Hilgemann Hohulin Holand Hollingsworth

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Backer Bennett Copeland Davis 63 Ford

Green Hartzler 123 Hickey Hoppe Hosmer

Mays 50 Ridgeway Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1002**, and has taken up and passed **CCS HB 1002**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1003, as amended**, and has taken up and passed **CCS HB 1003**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1004, as amended**, and has taken up and passed **CCS HB 1004**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1005**, and has taken up and passed **CCS HB 1005**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1006, as amended**, and has taken up and passed **CCS HB 1006**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1007, as amended**, and has taken up and passed **CCS HB 1007**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1008**, and has taken up and passed **CCS HB 1008**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1009**, and has taken up and passed **CCS HB 1009**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1010, as amended**, and has taken up and passed **CCS HB 1010**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1011, as amended**, and has taken up and passed **CCS HB 1011**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1012**, and has taken up and passed **CCS HB 1012**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1189**, entitled:

An act to repeal sections 408.036 and 408.500, RSMo 1994, relating to credit transactions, and to enact in lieu thereof three new sections relating to the same subject.

With Senate Committee Amendment No. 1 and Senate Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1189, Page 1, Section 408.036, Lines 5-6, by striking all of said lines and inserting in lieu thereof the following: "prepayment penalty exceed two percent of the balance at the time of prepayment**, except for, when an existing mortgage loan is replaced with a new mortgage loan made by another lender and the proceeds from the new loan are used to either paydown or reduce the balance to a smaller amount before paying in full and in order to avoid or reduce the prepayment penalty. In such an occurrence the prepayment penalty shall not be more than two percent of the average daily balance for the prior six months**, provided that the 1990 and 1992 reenactment of this section".

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1189, Pages 1 & 2, Section 408.500, Lines 1-25, by striking said section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1055**, entitled:

An act to repeal section 407.835, RSMo Supp. 1997, relating to certain franchises and other agreements, and to enact in lieu thereof ten new sections relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1055, Page 1, Section A, Line 3, by inserting after all of said line the following:

"407.815. As used in sections 407.810 to 407.835, unless the context otherwise requires, the following terms mean:

(1) "Administrative hearing commission", the body established in chapter 621, RSMo, to conduct administrative hearings;

(2) **"All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of six hundred pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator, and handlebars for steering control;**

[(2)] **(3)** "Coerce", to force a person to act in a given manner or to compel by pressure or threat but shall not be construed to include the following:

(a) Good faith recommendations, exposition, argument, persuasion or attempts at persuasion;

(b) Notice given in good faith to any franchisee of such franchisee's violation of terms or provisions of such franchise or contractual agreement;

(c) Any other conduct set forth in section 407.830 as a defense to an action brought pursuant to sections 407.810 to 407.835; or

(d) Any other conduct set forth in sections 407.810 to 407.835 that is permitted of the franchisor or is expressly excluded from coercion or a violation of sections 407.810 to 407.835;

[(3)] **(4)** "Franchise", a written arrangement or contract for a definite or indefinite period, in which a person grants to another person a license to use, or the right to grant to others a license to use, a trade name, trademark, service mark, or related characteristics, in which there is a community of interest in the marketing of goods or services, or both, at wholesale or retail, by agreement, lease or otherwise, and in which the operation of the franchisee's business with respect to such franchise is substantially reliant on the franchisor for the continued supply of franchised new motor vehicles, parts and accessories for sale at wholesale or retail;

[(4)] **(5)** "Franchisee", a person to whom a franchise is granted;

[(5)] **(6)** "Franchisor", a person who grants a franchise to another person;

[(6)] **(7)** "Motor vehicle", any motor driven vehicle required to be registered pursuant to the provisions of chapter 301, RSMo, except that, motorcycles **and all-terrain vehicles** as defined in section 301.010, RSMo, shall not be included;

[(7)] **(8)** "New", when referring to motor vehicles or parts, means those motor vehicles or parts which have not been held except as inventory, as that term is defined in subdivision (4) of section 400.9-109, RSMo;

[(8)] **(9)** "Person", a sole proprietor, partnership, corporation, or any other form of business organization."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1080**, entitled:

An act to repeal sections 379.883 and 379.888, RSMo 1994, relating to commercial casualty insurance, and to enact in lieu thereof two new sections relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1080, Page 3, Section 379.888, Lines 42-43, by deleting all of said lines and insert in lieu thereof the following:

"**4. Any renewal notice of a commercial casualty insurance policy as defined in section 379.882, RSMo, for any Missouri risk or portion thereof which would have the effect of increasing the premium charged to the insured due to a change in any scheduled rating factor applied to the policy during the previous policy period shall contain or be accompanied by a notice to the insured informing the insured that any inquiry by the insured concerning the change may be directed to the agent of record or directly to the insurer. When any insured makes a request for information pursuant to this subsection, the insurer, directly or through the insurer's agent, shall inform the insured in writing in terms sufficiently clear and specific of the basis for any reduction in a scheduled rating credit or increase in a schedule rating debit which is applied to the policy. Evidence supporting the basis for any scheduled rating credit or debit shall be retained by the insurer for the policy term plus two calendar years, in accordance with Section 374.205, RSMo. The Missouri Department of Insurance shall notify commercial casualty insurers of the requirements of this section by bulletin. The provisions of this subsection shall become effective on January 1, 1999.**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1683**, entitled:

An act to repeal section 167.280, RSMo 1994, and sections 162.955, 162.961 and 162.963, RSMo Supp. 1997, relating to school age children, and to enact in lieu thereof ten new sections relating to the same subject, with penalty provisions.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1683, Page 6, Section 167.104, Line 1, by inserting immediately after "created" the following: "**, subject to appropriation,**"; and

Further amend said bill, page 7, section 167.267, line 1, by inserting immediately after "established" the following: "**, subject to appropriation,**".

In which the concurrence of the House is respectfully requested.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SS SCS HCS HB 1095: Representatives Smith, Gaw, Davis (122), Legan and Elliott.

SCS HCS HBs 1681 & 1342: Representatives Koller, Wiggins, Leake, Foster and Cooper

On motion of Representative Crump, the House recessed until 2:45 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

RESOLUTIONS

Representative Reinhart offered House Resolution No. 1325 and House Resolution No. 1326, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Levin offered House Resolution No. 1327, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Monaco offered House Resolution No. 1328 and House Resolution No. 1329, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Burton offered House Resolution No. 1330, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Overschmidt offered House Resolution No. 1331, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 1332, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Legan offered House Resolution No. 1333, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Johnson and Green offered House Resolution No. 1334, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (159) offered House Resolution No. 1335, which was referred to the Committee on Miscellaneous Bills and Resolutions.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the committee indicated:

SB 773 - Critical Issues

THIRD READING OF SENATE BILLS

HCS SB 487, relating to towing, was taken up by Representative Auer.

Representative Auer offered **HS HCS SB 487**.

Representative Auer offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 487, Pages 1 and 2, Section 301.344, by deleting all of said section and inserting in lieu thereof the following:

"301.344. **1.** No town, city, village or municipality shall require a fee, permit or license for any reason from any wrecker or tow service business registered with the United States Department of Transportation, however, any county or a city not within a county of this state shall require such a fee, permit or license of any such business

physically located in such county or city not within a county or of any such business which conducts more than fifty percent of its wrecker or tow service business activities in such county or city not within a county.

2. In addition to the provisions of subsection 1 of this section, a city not within a county shall annually require a fee, permit or license from any wrecker or tow service business performing nonconsensual towing within the boundaries of a city not within a county. For the purposes of this subsection, "nonconsensual" means any agreement to tow a vehicle off private property without the consent of the owner of the vehicle. Any wrecker or tow service business licensed pursuant to subsection 1 of this section shall not be required to obtain a separate license, fee or permit to comply with this subsection.".

On motion of Representative Auer, House Amendment No. 1 was adopted.

Representative Liese offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 487, Page 1, In the Title, Line 2, by inserting immediately after the word "repeal" the following: "section 301.640, RSMo 1994, and"; and

Further amend said bill, Page 1, In the Title, Lines 4 and 5, by deleting the words "the removal of abandoned property" and inserting in lieu thereof the words "motor vehicles"; and

Further amend said bill, Page 1, In the Title, Line 5, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 9, by deleting the word "Sections" and inserting in lieu thereof the following: "Section 301.640, RSMo 1994, and sections"; and

Further amend said bill, Page 1, Section A, Line 10, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 11, by inserting immediately after the figure "301.344," the figure "301.640,"; and

Further amend said bill, Page 2, Section 301.344, Line 10, by inserting immediately after all of said line the following:

"301.640. 1. Upon the satisfaction of [a] **any** lien or encumbrance of a motor vehicle or trailer for which the certificate of ownership is in possession of the lienholder, he shall, within ten **business** days [after demand and, in any event, within thirty days,] release his lien or encumbrance on the certificate, and mail or deliver the certificate to the next lienholder named therein, or, if none, to the owner or any person who delivers to the lienholder an authorization from the owner to receive the certificate. The owner may cause the certificate to be mailed or delivered to the director of revenue, who shall issue a new certificate of ownership upon application and payment of the required fee. **A lien or encumbrance shall be satisfied for the purposes of this section when a lienholder receives payment in full in the form of certified funds, as defined in section 381.410, RSMo.**

2. Upon the satisfaction of [a] **any** lien or encumbrance in a motor vehicle or trailer for which a certificate is in possession of a prior lienholder, the lienholder whose lien or encumbrance is satisfied shall within ten **business** days [after demand and, in any event, within thirty days,] release the lien or encumbrance on the certificate and deliver the certificate to the owner or any person who delivers to the lienholder an authorization from the owner to receive it. The lienholder in possession of the certificate shall at the request of the owner and upon surrender of the certificate of title by the owner and receipt of the required fee, either mail or deliver the certificate of ownership to the director of revenue, or deliver the certificate to the owner, or the person authorized by him, for delivery to the director of revenue, who shall issue a new certificate.

3. If the purchase price of a motor vehicle or trailer did not exceed six thousand dollars at the time of purchase, a lien or encumbrance which was not perfected by a motor vehicle financing corporation whose net worth exceeds one hundred million dollars, or a depository institution, shall be considered satisfied within six years from the date the lien or encumbrance was originally perfected unless a new lien or encumbrance has been perfected as provided in section 301.600. This subsection does not apply to motor vehicles or trailers for which the certificate of ownership has recorded in the second lienholder portion the words "subject to future

advances".

4. Any lienholder who fails to comply with subsection 1 or 2 of this section shall pay to the person or persons satisfying the lien or encumbrance twenty-five dollars for the first ten business days after expiration of the time period prescribed in subsection 1 or 2 of this section, and such payment shall double for each ten days thereafter in which there is continued noncompliance, up to a maximum of five hundred dollars for each lien. If delivery of the certificate is made by mail, the delivery date is the date of the postmark for purposes of this subsection.".

Section B. Section A of this act shall become effective on January 1, 1999.

On motion of Representative Liese, House Amendment No. 2 was adopted.

Representative O'Connor offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 487, Page 1, In the Title, Line 2, by inserting after the word "repeal" the following: "section 144.025, RSMo 1994, and"; and

Further amend said bill, Page 1, In the Title, Line 5, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 9, by deleting the word "Sections" and inserting in lieu thereof the following: "Section 144.025, RSMo 1994, and sections"; and

Further amend said bill, Page 1, Section A, Line 10, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 11, by inserting after the word "sections" the number "144.025,"; and

Further amend said bill, Page 1, Section A, Line 12, by inserting after all of said line the following:

"144.025. 1. Notwithstanding any other provisions of law to the contrary, in any retail sale other than retail sales governed by subsection [3] ***4*** *of this section, where any article* ***on which sales or use tax due, if any, was paid, credited, satisfied or waived*** *is taken in trade as a credit or part payment on the purchase price of the article being sold, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the actual allowance made for the article traded in or exchanged, if there is a bill of sale or other record showing the actual allowance made for the article traded in or exchanged. Where the purchaser of a motor vehicle, trailer, boat or outboard motor receives a rebate from the seller or manufacturer, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the amount of the rebate, if there is a bill of sale or other record showing the actual rebate given by the seller or manufacturer. Where the trade-in or exchange allowance plus any applicable rebate exceeds the purchase price of the purchased article there shall be no sales or use tax owed. This section shall also apply to motor vehicles, trailers, boats, and outboard motors sold by the owner* ***or holder of a properly assigned certificate of ownership*** *if the seller purchases or contracts to purchase a [replacement]* ***subsequent*** *motor vehicle, trailer, boat, or outboard motor within ninety days before or after the date of the sale of the original article and a notarized bill of sale showing the paid sale price is presented to the department of revenue at the time of licensing. A copy of the bill of sale shall be left with the licensing office. Where the [new replacement]* ***subsequent*** *motor vehicle, trailer, boat, or outboard motor is titled more than ninety days after the sale of the original motor vehicle, trailer, boat, or outboard motor, the allowance pursuant to this section shall be made if the person titling such article establishes that the purchase or contract to purchase was finalized prior to the expiration of the ninety-day period.*

2. As used in this section, the term "boat" includes all motorboats and vessels, as the terms "motorboat" and "vessel" are defined in section 306.010, RSMo.

3. As used in this section, the term "motor vehicle" includes motor vehicles as defined in section 301.010, RSMo, recreational vehicles as defined in section 700.010, RSMo, or a combination of a truck as defined in section 301.010, RSMo, and a trailer as defined in section 301.010, RSMo.

[3.] ***4.*** *The provisions of subsection 1 of this section shall not apply to retail sales of manufactured homes in which the purchaser receives a document known as the "Manufacturer's Statement of Origin" for purposes of obtaining a title to the manufactured home from the department of revenue of this state or from the appropriate agency or officer of any other state.".*

On motion of Representative O'Connor, House Amendment No. 3 was adopted.

Representative Luetkenhaus offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 487, Page 1, In the Title, Line 5, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 10, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 12, by deleting the word and number "and 1" and inserting in lieu thereof the following: ", 1 and 2"; and

Further amend said bill, Page 36, Section 1, Line 2, by adding after all of said line the following:

*"**Section 2. 1. The provisions of this section shall only apply to any county of the first classification with a charter form of government with a population of at least two hundred thousand inhabitants that adjoins a county of the first classification with a charter form of government with a population of at least nine hundred thousand inhabitants.***

2. For safety, security and financial responsibility when dealing with motor vehicles of others, whenever a towing company bids on a contract with a political subdivision for towing services, the towing company, its subsidiary, affiliate or any other person or entity who contracts with such towing company to perform towing services shall present proof to the political subdivision that:

(1) The company has a surety bond of not less than one hundred thousand dollars per occurrence;

(2) The towing company does not lease more than seventy-five percent of the towing vehicles which are to be used in connection with the towing contract;

(3) Each driver has been given an annual mandatory drug test by an independent health care provider;

(4) A storage lot used in the performance of the contract is located within the county where the political subdivision is located and staffed twenty-four hours a day and seven days a week.

3. The provisions of this section shall not apply to any towing company, combined with its subsidiaries, affiliates or any other person or entity who contracts with such towing company to perform any towing service, that have less than five towing vehicles.*".*

On motion of Representative Luetkenhaus, House Amendment No. 4 was adopted.

Representative Koller offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 487, Page 1, In the Title, Line 5, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, In the Title, Line 6, by inserting immediately after the word "subject" the following: ", with penalty provisions"; and

Further amend said bill, Page 1, Section A, Line 10, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 12, by deleting the word and figures "304.158 and 1" and inserting in lieu thereof the word and figures "304.158, 1 and 2"; and

Further amend said bill, Page 36, Section 1, Line 2, by inserting immediately after all of said line the following:

*"**Section 2. 1. No person or corporation shall operate a wrecker or tow service business in this state unless the person or corporation holds a valid business license which is required and issued by any county or city not within a county within which the wrecker or tow service business is physically located or conducts fifty percent or more of its business.***

2. No person or corporation shall operate a wrecker or tow service business in this state unless the person or corporation has clearly and visibly printed on all wreckers and tow vehicles operated by the person or corporation the business name and address of such person or corporation and a telephone number at which a law enforcement officer or owner of a towed vehicle may contact the person or corporation during regular business hours.

***3. Any person or corporation violating the provisions of this section is guilty of a misdemeanor.**".*

On motion of Representative Koller, House Amendment No. 5 was adopted.

Representative Fritts offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 487, Page 11, Section 304.156, Line 14, by deleting the following: "company [and owner or lienholder]. Any towing company which" and inserting in lieu thereof the following: "company and owner or lienholder. [Any towing company which"; and

Further amend said bill, Page 11, Section 304.156, Line 20, by inserting immediately after the word and period "state." a closed bracket "]"; and

*Further amend said bill, Page 13, Section 304.156, Line 15, by deleting the following: "[this section] **sections 304.155 to 304.158**." and inserting in lieu thereof the following: "this section.".*

On motion of Representative Fritts, House Amendment No. 6 was adopted.

Representative Monaco offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 487, Page 18, Section 304.156, Line 5, by deleting the words "has received" and inserting in lieu thereof the following: "was sent a".

On motion of Representative Monaco, House Amendment No. 7 was adopted.

Speaker Gaw assumed the Chair.

Representative Legan offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Bill No. 487, Page 21, Section 304.156, Line 1, by deleting the words "Five hundred" and inserting in lieu thereof the words "one thousand"; and

Further amend said bill, Page 21, line 2, by deleting the words "Five hundred" and inserting in lieu thereof the words "one thousand".

Speaker Pro Tem Kreider resumed the Chair.

Representative Scott offered House Substitute Amendment No. 1 for House Amendment No. 8.

House Substitute Amendment No. 1 for House Amendment No. 8 was withdrawn.

Representative Marble offered House Amendment No. 1 to House Amendment No. 8.

Representative Auer raised a point of order that House Amendment No. 1 to House Amendment No. 8 is in the third degree.

The Chair ruled the point of order well taken.

On motion of Representative Legan, House Amendment No. 8 was adopted.

Representative Ladd Stokan offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Bill No. 487, Page 11, Section 304.156, Line 13, by inserting an opening bracket "[" immediately before the word "towing"; and

Further amend said bill, Page 11, Section 304.156, Line 14, by deleting the following: "[and owner or lienholder]" and inserting in lieu thereof the following: "and] owner or lienholder ***by certified mail and the towing company by regular mail****".*

Further amend said bill, page 12, line 1, by inserting an opening bracket "[" immediately before the word "by" and closing bracket "]" immediately after the word "requested".

On motion of Representative Ladd Stokan, House Amendment No. 9 was adopted.

Representative Elliott offered House Amendment No. 10.

Representative DeMarce raised a point of order that House Amendment No. 10 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Carter offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Bill No. 487, Pages 1-2, Section 301.344, by deleting all of said section; and

Further amend section 1, pages 35-36, by deleting all of said section, and

Amend title and enacting clause accordingly.

On motion of Representative Carter, House Amendment No. 10 was adopted.

Representative Pouche offered House Amendment No. 11.

Representative Relford raised a point of order that House Amendment No. 11 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hartzler (124) offered House Amendment No. 11.

Representative DeMarce raised a point of order that House Amendment No. 11 is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Auer, ***HS HCS SB 487, as amended,*** *was adopted.*

On motion of Representative Auer, ***HS HCS SB 487, as amended,*** *was read the third time and passed by the following vote:*

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Bland Boatright Bonner Boucher

Bray 84 Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Crawford

ABSENT WITH LEAVE: 014

Berkstresser Broach Copeland Edwards-Pavia Green

Holand Hollingsworth Hoppe Kelly 27 Lograsso

McClelland Pryor Shear Surface

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

***HCS SS SCS SB 781**, relating to desegregation, was taken up by Representative Stoll.*

*Representative Stoll offered **HS HCS SS SCS SB 781**.*

Representative Stoll offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Pages 92 and 93, Section 3, by deleting all of said section and inserting in lieu thereof the following:

*"**Section 3. Notwithstanding the provisions of section 163.011, RSMo., to the contrary, beginning with the 1997-1998 payment year, the calculation of the magnitude of a tax rate decrease due to reassessment shall exclude any voted increase occurring in the year of reassessment dating from tax year 1995.**"*

On motion of Representative Stoll, House Amendment No. 1 was adopted.

Representative Stoll offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 1, In the Title, Lines 5 and 6 of said page, by deleting "and 166.275" and inserting in lieu thereof the following: ", 166.275 and 178.930"; and

Further amend said bill, Page 1, In the Title, Line 8 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 16 of said page, by deleting "and 166.275" and inserting in lieu thereof the following: ", 166.275 and 178.930"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "twenty-three" and inserting in lieu thereof the word "twenty-four"; and

Further amend said bill, Page 2, Section A, Line 4 of said page, by inserting immediately after the number "168.231," the number "178.930,"; and

Further amend said bill, Page 58, Section 168.231, Line 9 of said page, by inserting after all of said line the following:

"178.930. 1. Until June 30, 1998, the department of elementary and secondary education shall pay monthly, out of the funds appropriated to it for that purpose, to each sheltered workshop a sum equal to eleven dollars multiplied by the number of six-hour or longer days worked by handicapped workers during the preceding calendar month. For each handicapped worker employed by a sheltered workshop for less than a six-hour day, the workshop shall receive a percentage of the eleven dollars based on the percentage of the six-hour day worked by the handicapped employee.

2. Beginning July 1, 1998, until June 30, 1999, the department of elementary and secondary education shall pay monthly, out of the funds appropriated to it for that purpose, to each sheltered workshop a sum equal to twelve dollars multiplied by the number of six-hour or longer days worked by handicapped workers during the preceding calendar month. For each handicapped worker employed by a sheltered workshop for less than a six-hour day, the workshop shall receive a percentage of the twelve dollars based on the percentage of the six-hour day worked by the handicapped employee.

*3. Beginning July 1, [2000] **1999**, and thereafter, the department of elementary and secondary education shall pay monthly, out of the funds appropriated to it for that purpose, to each sheltered workshop a sum equal to thirteen dollars multiplied by the number of six-hour or longer days worked by handicapped workers during the preceding calendar month. For each handicapped worker employed by a sheltered workshop for less than a six-hour day, the workshop shall receive a percentage of the thirteen dollars based on the percentage of the six-hour day worked by the handicapped employee.*

4. The department shall accept, as prima facie proof of payment due to a sheltered workshop, a statement signed by the president and secretary of the sheltered workshop, setting forth the dates worked and the number of hours worked each day by each handicapped person employed by that sheltered workshop during the preceding calendar month, together with any other information required by the rules or regulations of the department.".

On motion of Representative Stoll, House Amendment No. 2 was adopted.

Representative Van Zandt offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 1, In the Title, Line 8 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "thirty-two"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "twenty-three" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 2, Section A, Line 4 of said page, by deleting "and 2" and inserting in lieu thereof the following: ", 2, 4, 5, 6, 7, and 8"; and

Further amend said bill, Page 60, Section 2, Line 1 of said page, by inserting after all of said line the following:

*"**Section 4. 1. A charter school is an independent, publicly supported school.***

2. Charter schools may be operated only in a metropolitan school district, or in an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants, and except as specified in subsection 3 of this section may be sponsored by any of the following:

(1) The school board of the district;

(2) A public four-year college or university with its primary campus in the school district or in a county adjacent to the county in which the district is located, with an approved teacher education program that meets regional or national standards of accreditation; or

(3) A community college located in the district.

3. A maximum of five percent of the school buildings currently in use for instructional purposes in a district may be converted to charter schools. This limitation does not apply to vacant buildings or buildings not used for instructional purposes.

4. No sponsor shall receive from an applicant for a charter school any fee of any type for the consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise of future payment of any kind.

5. The charter school shall be a Missouri nonprofit corporation incorporated pursuant to chapter 355, RSMo. The charter provided for herein shall constitute a contract between the sponsor and the charter school.

6. As a nonprofit corporation incorporated pursuant to chapter 355, RSMo, the charter school shall select the method for election of officers pursuant to section 355.326, RSMo, based on the class of corporation selected. Meetings of the governing board of the charter school shall be subject to the provisions of sections 610.010 to 610.030, RSMo, the open meetings law.

7. A sponsor of a charter school, its agents and employees are not liable for any acts or omissions of a charter school that it sponsors, including acts or omissions relating to the charter submitted by the charter school, the operation of the charter school and the performance of the charter school.

8. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 2 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. The primary campus of the college or university must be located within the county in which the school district lies wherein the charter school is located or in a county adjacent to the county in which the district is located. A university, college or community college may not charge or accept a fee for affiliation status.

9. No university, college, or community college shall grant a charter to a nonprofit corporation if an employee of the university, college or community college is a member of the corporation's board of directors.

Section 5. 1. A person, group or organization seeking to establish a charter school shall submit the proposed charter, as provided in this section, to a sponsor. The charter shall include a mission statement for the charter school, a description of the charter school's organizational structure and bylaws of the governing body, which will be responsible for the policy and operational decisions of the charter school, a financial plan for the first three years of operation of the charter school including provisions for annual audits, a description of the charter school's policy for securing personnel services, its personnel policies, personnel qualifications, and professional development plan, a description of the grades or ages of students being served, the school's calendar of

operation, which shall include at least the equivalent of a full school term as defined in section 160.011, RSMo, and an outline of criteria specified in this section designed to measure the effectiveness of the school. The charter shall also state:

(1) The educational goals and objectives to be achieved by the charter school;

(2) A description of the charter school's educational program and curriculum;

(3) The term of the charter, which shall be not less than five years, nor greater than ten years and shall be renewable;

(4) A description of the charter school's pupil performance standards, which must meet the requirements of subdivision (6) of subsection 5 of this section. The charter school program must be designed to enable each pupil to achieve such standards; and

(5) A description of the governance and operation of the charter school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school.

2. Proposed charters shall be subject to the following requirements:

(1) A charter may be approved when the sponsor determines that the requirements of this section are met and determines that the applicant is sufficiently qualified to operate a charter school. The sponsor's decision shall be made within sixty days of the filing of the proposed charter;

(2) If the charter is denied, the proposed sponsor shall notify the applicant in writing as to the reasons for its denial;

(3) If a proposed charter is denied by a sponsor, the proposed charter may be submitted to the state board of education, along with the sponsor's written reasons for its denial. If the state board determines that the applicant meets the requirements of this section and that granting a charter to the applicant would be likely to provide educational benefit to the children of the district, the state board may grant a charter and act as sponsor of the charter school; and

(4) The sponsor of a charter school shall give priority to charter school applicants that propose a school oriented to high-risk students and to the re-entry of dropouts into the school system. If a sponsor grants three or more charters, at least one-third of the charters granted by the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student body and address the needs of dropouts or high-risk students through their proposed mission, curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk" student is one who is at least one year behind in satisfactory completion of coursework or obtaining credits for graduation, pregnant or a parent, homeless or has been homeless sometime within the preceding six months, has limited English proficiency, has been suspended from school three or more times, or has been referred by the school district for enrollment in an alternative program. "Dropout" shall be defined through the guidelines of the school core data report. The provisions of this subsection do not apply to charters sponsored by the state board of education.

3. If a charter is approved by a sponsor, it shall be submitted to the state board of education which may, within forty-five days, disapprove the granting of the charter. The state board of education may disapprove a charter only on grounds that the application fails to meet the requirements of sections 4 to 8 of this act.

4. Any disapproval of a charter pursuant to subsection 3 of this section shall be subject to judicial review pursuant to chapter 536, RSMo.

5. A charter school shall, as provided in its charter:

(1) Be nonsectarian in its programs, admission policies, employment practices, and all other operations;

(2) Comply with laws and regulations of the state relating to health, safety, and minimum educational standards;

(3) Except as provided in sections 4 to 8 of this act, be exempt from all laws and rules relating to schools, governing boards and school districts;

(4) Be financially accountable, use practices consistent with the Missouri financial accounting manual, provide for an annual audit by a certified public accountant, and provide liability insurance to indemnify the school, its board, staff and teachers against tort claims. For the purposes of securing such insurance, a charter school shall be eligible for the Missouri public entity risk management fund pursuant to section 537.700, RSMo. A charter school that incurs debt must include a repayment plan in its financial plan;

(5) Provide a comprehensive program of instruction for at least one grade or age group from kindergarten through grade twelve, which may include early childhood education if funding for such programs is established by statute, as specified in its charter;

(6) Design a method to measure pupil progress toward the pupil academic standards adopted by the state

board of education pursuant to section 160.514, RSMo, collect baseline data during at least the first three years for determining how the charter school is performing and to the extent applicable, participate in the statewide system of assessments, comprised of the essential skills tests and the nationally standardized norm-referenced achievement tests, as designated by the state board pursuant to section 160.518, RSMo, complete and distribute an annual report card as prescribed in section 160.522, RSMo, report to its sponsor, the local school district, and the state board of education as to its teaching methods and any educational innovations and the results thereof, and provide data required for the study of charter schools pursuant to subsection 3 of section 6 of this act. No charter school will be considered in the Missouri school improvement program review of the district in which it is located for the resource or process standards of the program. Nothing in this paragraph shall be construed as permitting a charter school to be held to lower performance standards than other public schools within a district; however, the charter of a charter school may permit students to meet performance standards on a different time frame as specified in its charter;

(7) Assure that the needs of special education children are met.

6. The charter of a charter school may be amended at the request of the governing body of the charter school and on the approval of the sponsor. The sponsor and the governing board and staff of the charter school shall jointly review the school's performance, management, and operations at least once every two years.

7. (1) A sponsor may revoke a charter at any time if the charter school commits a serious breach of one or more provisions of its charter or on any of the following grounds: failure to meet academic performance standards as set forth in its charter, failure to meet generally accepted standards of fiscal management, or violation of law.

(2) The sponsor may place the charter school on probationary status to allow the implementation of a remedial plan, after which, if such plan is unsuccessful, the charter may be revoked.

(3) At least sixty days before acting to revoke a charter, the sponsor shall notify the board of directors of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action. The school's board of directors may request in writing a hearing before the sponsor within two weeks of receiving the notice.

(4) The sponsor of a charter school shall establish procedures to conduct administrative hearings upon determination by the sponsor that grounds exist to revoke a charter. Final decisions of a sponsor from hearings conducted pursuant to this subsection are subject to judicial review pursuant to chapter 536, RSMo.

(5) A termination shall be effective only at the conclusion of the school year, unless the sponsor determines that continued operation of the school presents a clear and immediate threat to health and safety of the children.

8. A school district may enter into a lease with a charter school for physical facilities. A charter school may not be located on the property of a school district unless the district governing board agrees.

9. A governing board or a school district employee who has control over personnel actions shall not take unlawful reprisal against another employee at the school district because the employee is directly or indirectly involved in an application to establish a charter school. A governing board or a school district employee shall not take unlawful reprisal against an educational program of the school or the school district because an application to establish a charter school proposes the conversion of all or a portion of the educational program to a charter school. As used in this subsection, "unlawful reprisal" means an action that is taken by a governing board or a school district employee as a direct result of a lawful application to establish a charter school and that is adverse to another employee or an educational program.

Section 6. 1. A charter school shall enroll all pupils resident in the district in which it operates or eligible to attend a district's school under an urban voluntary transfer program who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall have an admissions process that assures all applicants of an equal chance of gaining admission except that:

(1) A charter school may establish a geographical area around the school whose residents will receive a preference for enrolling in the school, provided that such preferences do not result in the establishment of racially or socioeconomically isolated schools and provided such preferences conform to policies and guidelines established by the state board of education; and

(2) A charter school may also give a preference for admission of children whose siblings attend the school or whose parents are employed at the school.

2. A charter school shall not limit admission based on ethnicity, national origin, disability, gender, income level, proficiency in the English language or athletic ability, but may limit admission to pupils within a given age group or grade level.

3. The department of elementary and secondary education shall commission a study of the performance of students at each charter school in comparison with a comparable group and a study of the impact of charter schools upon the districts in which they are located, to be conducted by a contractor selected through a request for proposal. The department of elementary and secondary education shall reimburse the institute from

funds appropriated by the general assembly for the purpose. The study of a charter school's student performance in relation to a comparable group shall be designed to provide information that would allow parents and educators to make valid comparisons of academic performance between the charter school's students and a group of students comparable to the students enrolled in the charter school. The impact study shall be undertaken every two years to determine the effect of charter schools on education stakeholders in the districts where charter schools are operated. The impact study may include, but is not limited to, determining if changes have been made in district policy or procedures attributable to the charter school and to perceived changes in attitudes and expectations on the part of district personnel, school board members, parents, students, the business community, and other education stakeholders. The department of elementary and secondary education shall make the results of the studies public and shall deliver copies to the governing boards of the charter schools, the sponsors of the charter school, the school board and superintendent of the districts in which the charter schools are operated.

Section 7. 1. For the purposes of calculation and distribution of state school aid under section 163.031, RSMo, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which each pupil resides, except that payment of state aid for such pupil shall be made by the department of elementary and secondary education to the charter school attended as provided in subsection 2 of this section and shall not be made to the pupil's district of residence. Each charter school shall report the names, addresses, and eligibility for free or reduced price lunch or other categorical aid, of pupils resident in a school district who are enrolled in the charter school to the school district in which those pupils reside and to the state department of elementary and secondary education. Each charter school shall promptly notify the state department of elementary and secondary education and the pupil's school district when a student discontinues enrollment at a charter school.

2. For each pupil attending a charter school, the department of elementary and secondary education shall pay to the charter school an annual amount equal to the per pupil state aid pursuant to section 163.031, RSMo, which would otherwise be received by the pupil's district of residence plus all other state aid attributable to such pupil, including summer school, if applicable, and the pupil's school district of residence shall pay to the charter school the product of the equalized, adjusted operating levy for school purposes for the pupil's district of residence for the current year times the guaranteed tax base per eligible pupil, as defined in section 163.011, RSMo, less the amount paid by the department to the charter school pursuant to this subsection. The district of residence of a pupil attending a charter school shall also pay to the charter school any other federal or state aid that the district receives on account of such child. The amounts provided pursuant to this subsection shall be prorated for partial year enrollment for a pupil.

3. If a school district fails to make timely payments of any amount for which it is the disbursal agent, the state department of elementary and secondary education shall authorize payment to the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the same amount from the next state school aid apportionment to the owing school district.

4. The charter school and a local school board may agree by contract for services to be provided by the school district to the charter school. The charter school may contract with any other entity for services. Such services may include but are not limited to food service, custodial service, maintenance, management assistance, curriculum assistance, media services, and libraries and shall be subject to negotiation between the charter school and the local school board or other entity. Documented actual costs of such services shall be paid for by the charter school.

5. A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.

6. A charter school shall be eligible for transportation state aid pursuant to section 163.161, RSMo, and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

7. (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school district shall provide the special services provided pursuant to section 162.705, RSMo, and may provide the special services pursuant to a contract with a school district or any provider of such services.

8. A charter school may not charge tuition, nor may it impose fees that a school district is prohibited from imposing.

9. A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. Upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355, RSMo.

10. Charter schools shall not have the power to acquire property by eminent domain.

11. The governing body of a charter school is authorized to accept grants, gifts, or donations of any kind and to expend or use such grants, gifts, or donations. A grant, gift, or donation may not be accepted by the governing body if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.

Section 8. 1. If a charter school offers to retain the services of an employee of a school district, and the employee accepts a position at the charter school, the contract between the charter school and the school district may provide that an employee at the employee's option may remain an employee of the district and the charter school shall pay to the district the district's full costs of salary and benefits provided to the employee. A teacher who accepts a position at a charter school and opts to remain an employee of the district retains such teacher's permanent teacher status and seniority rights in the district for a period no longer than three years. The school district shall not be liable for any such employee's acts while an employee of the charter school.

2. A charter school may employ noncertificated instructional personnel; provided that no more than twenty percent of the full-time equivalent instructional staff positions at the school are filled by noncertificated personnel. The charter school shall ensure that all instructional employees of the charter school have experience, training and skills appropriate to the instructional duties of the employee, and the charter school shall ensure that a criminal background check and child abuse registry check are conducted for each employee of the charter school prior to the hiring of the employee. Appropriate experience, training and skills of noncertificated instructional personnel shall be determined considering:

(1) Teaching certificates issued by another state or states;

(2) Certification by the National Standards Board;

(3) College degrees in the appropriate field;

(4) Evidence of technical training and competence when such is appropriate; and

(5) Level of supervision and coordination with certificated instructional staff.

3. Personnel employed by the charter school shall participate in the retirement system of the school district in which the charter school is located, subject to the same terms, conditions, requirements and other provisions applicable to personnel employed by the school district.*".*

Speaker Gaw resumed the Chair.

Representative Troupe offered House Substitute Amendment No. 1 for House Amendment No. 3.

House Substitute Amendment No. 1 for House Amendment No. 3 was withdrawn.

Representative Legan offered House Substitute Amendment No. 1 for House Amendment No. 3.

House Substitute Amendment No. 1 for House Amendment No. 3 was withdrawn.

On motion of Representative Van Zandt, House Amendment No. 3 was adopted.

Representative Shields offered House Amendment No. 4.

Representative Shields offered House Substitute Amendment No. 1 for House Amendment No. 4.

Representative Monaco raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 4 is out of order in that you can not offer a substitute amendment to your own amendment.

The Chair ruled the point of order well taken.

House Amendment No. 4 was withdrawn.

Representative Bland offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 1, In the Title, Line 8 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-nine"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "twenty-three" and inserting in lieu thereof the word "twenty-five"; and

Further amend said bill, Page 2, Section A, Line 4 of said page, by deleting "and 2" and inserting in lieu thereof the following: ", 2, 4 and 5"; and

Further amend said bill, Page 60, Section 2, Line 1 of said page, by inserting after all of said line the following:

*"**Section 4. 1. Beginning in the 1999-2000 school year, an urban school district containing all or part of a city with a population of at least three hundred fifty thousand inhabitants shall, in addition to moneys received pursuant to section 163.031, RSMo, receive thirty million dollars per year.***

2. The provisions of this section shall terminate if the provisions of section 163.031, RSMo, as repealed and reenacted by Senate Bill No. 781 of the eighty-ninth general assembly do become effective.

Section 5. 1. Beginning in the 1999-2000 school year, an urban school district containing all or most of a city with a population of more than three hundred fifty thousand inhabitants shall in addition to the amounts received pursuant to section 163.031, RSMo, receive reimbursement for transportation costs associated with early childhood education and development programs, head start and extended day care.

2. The total amount received by the district for transportation costs shall not exceed nine million seven hundred eighty-seven thousand dollars for any school year.

***3. The provisions of this section shall terminate if the provisions of section 163.031, RSMo, as repealed and reenacted by Senate Bill No. 781 of the eighty-ninth general assembly generates at least nine million seven hundred eighty-seven thousand dollars for transportation.**".*

On motion of Representative Bland, House Amendment No. 4 was adopted.

Representative Monaco offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 51, Section 166.275, Line 16 of said page, by inserting after all of said line the following:

*"**3. Fifty million dollars of the funds remaining from the amount not distributed pursuant to subsection 2 of this section from an urban school district containing most or all of a city with more than three hundred fifty thousand inhabitants shall be distributed as follows:***

(1) Seven percent to the gifted education categorical;

(2) Seven percent to the remedial reading categorical;

(3) Forty-eight percent to the special education categorical; and

***(4) Thirty-eight percent to the vocational education categorical.**".*

Representative Shields offered House Substitute Amendment No. 1 for House Amendment No. 5.

House Substitute Amendment No. 1

for

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 51, Section 166.275, Line 16 of said page, by inserting after all of said line the following:

*"**3. Thirty million dollars of the funds remaining from the amount not distributed pursuant to subsection 2 of this section from an urban school district containing most or all of a city with more than three hundred fifty thousand inhabitants shall be distributed as follows:***

(1) Seven percent to the gifted education categorical;

(2) Seven percent to the remedial reading categorical;

(3) Forty-eight percent to the special education categorical; and

***(4) Thirty-eight percent to the vocational education categorical.**".*

***HCS SS SCS SB 781, with House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 5, and HS, as amended, pending**, was laid over.*

COMMITTEE REPORTS

***Committee on Critical Issues**, Chairman Harlan reporting:*

*Mr. Speaker: Your Committee on Critical Issues, to which was referred **HCS SB 525**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.***

***Committee on Elections**, Chairman Days reporting:*

*Mr. Speaker: Your Committee on Elections, to which was referred **SB 709**, begs leave to report it has examined the same and recommends that it **Do Pass.***

MESSAGES FROM THE SENATE

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HPA 1** to **SCS HCS HB 1469, as amended**, and has adopted the **SCS** for **HCS HB 1469, as amended** by **HPA 1** and has taken up and passed **SCS HCS HB 1469, as amended.***

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS #2 HJR 39**, entitled:*

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 39 of article III of the Constitution of Missouri, relating to gaming and adopting two new sections in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1636, as amended,** and grants the House a conference thereon; and further that the conferees be allowed to exceed the differences.*

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1013**, entitled:*

An act to appropriate money for real property leases, related service, utilities, and systems furniture; and structural modifications for new FTE for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds, for the period beginning July 1, 1998, and ending June 30, 1999.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***SCS HCS HB 1020****, entitled:*

An act to appropriate money for planning, grants, equipment, lease purchase payment and for capital improvements, including but not limited to additions, renovation, new structures and land improvements, and to transfer money among certain funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***HB 1021****, entitled:*

An act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 1998 and ending June 30, 1999.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1021, Page 6, Section 21.090, by inserting immediately after said section the following new section:

"Section 21.092. To the Department of Natural Resources

For the Division of State Parks

For the purpose of funding Parks and Historic Sites

Expense and Equipment - For new equipment only

Representing expenditures originally authorized under the provisions of House Bill Section 6.235,

an Act of the 89th General Assembly, First Regular Session

From State Parks and Earnings Fund $ 214,614"

and further amend said bill, page 12, section 21.180, by inserting immediately after said section the following new sections:

"Section 21.182. To the Department of Public Safety

For the State Highway Patrol

For the purpose of funding the purchase of vehicles for the State Highway Patrol and

Gaming Commission

Expense and Equipment

Representing expenditures originally authorized under the provisions of House Bill Section 8.105,

an Act of the 89th General Assembly, First Regular Session

From State Highways and Transportation Department Fund $ 745,000

From Gaming Commission Fund 37,250

Total $ 782,250

Section 21.183. To the Department of Public Safety

For the State Highway Patrol

For the purpose of funding the purchase of vehicles for the State Highway Patrol and

Gaming Commission

Expense and Equipment

Representing expenditures originally authorized under the provisions of House Bill Section 14.080,

an Act of the 89th General Assembly, Second Regular Session

From Gaming Commission Fund $ 391,125"

and further amend said bill, page 14, section 21.220 by inserting immediately after said section the following new section:

"Section 21.222. To the Department of Health

For the Division of Maternal, Child and Family Health

1. For the purpose of funding alternatives to abortion services as follows: prenatal care, medical care, parenting skills, drug and alcohol testing and treatment, child care, newborn or infant care, alternative housing, alternative schooling, adoption assistance, job training and placement, efforts to promote responsible paternity, ultrasound services, case management for pregnancy maintenance, domestic abuse protection and transportation, such services to be for women only during their pregnancy and continuing for one year thereafter, excluding any service of the types described in section 20.685, (House Bill 20, 89th General Assembly, First Extraordinary Session), provided that none of these funds may be expended for the purpose of performing, assisting or encouraging abortion and further provided that none of these funds may be expended to directly or indirectly subsidize abortion services or administrative expenses, as verified by independent audit, and none of these funds may be granted to organizations or affiliates of organizations which provide or promote abortions.

2. If any provision of subsection 1 of this section is held invalid, then this appropriation shall be in accordance with subsection 3, otherwise subsection 3 shall have no effect.

3. For the purpose of funding alternatives to abortion services provided directly by the department of health or provided directly by government agencies through contractual agreement with the department, as follows: prenatal care, medical care, parenting skills, drug and alcohol testing and treatment, child care, newborn or infant care, alternative housing, alternative schooling, adoption assistance, job training and placement, efforts to promote responsible paternity, ultrasound services, case management for pregnancy maintenance, domestic abuse protection and transportation, such services to be for women only during their pregnancy and continuing for one year thereafter, excluding any service of the types described in section 20.685, (House Bill 20, 89th General Assembly, First Extraordinary Session), provided that none of these funds may be expended for the purpose of encouraging abortion.

Representing expenditures originally authorized under the

provisions of House Bill Section 20.690,

an Act of the 89th General Assembly,

First Extraordinary Session

From General Revenue Fund.....$ 300,000".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***SCS HCS HB 1620****, entitled:*

An act to repeal section 620.467, RSMo 1994, relating to the division of tourism, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on ***HS #2 HCS SS SCS SBs 675, 483, 490 & 564, as amended****: Senators Johnson, Wiggins, McKenna, Childers and Mueller.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on ***HCS SB 778.***

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on ***HCS SB 778****: Senators Jacob, Clay, Caskey, Childers and Mueller.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in ***HA 1 to SB 945****, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on ***SCS HS HCS HB 1636, as amended****: Senators Mathewson, Scott, Wiggins, Ehlmann and Bentley.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the

Senate refuses to recede from its position on ***SCS HB 1918*** *and grants the House a conference thereon, and further that the conferees be allowed to exceed the differences.*

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Caskey, House, DePasco, Sims and Bentley.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill ***HCS HB 778****: Representatives Hoppe, Foley, Rizzo, Griesheimer and Edwards-Pavia.*

CONFERENCE COMMITTEE REPORT

ON

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 927

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on Senate Committee Substitute for House Bill No. 927, with Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2, Senate Amendment No. 2 to Senate Amendment No. 2, Senate Amendment No. 2, as amended, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 15 and Senate Amendment No. 16; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 927, as amended;

2. That the House recede from its position on House Bill No. 927;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 927 be third read and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Craig Hosmer /s/ William Clay

/s/ James M. Foley /s/ Edward Quick

/s/ Philip Smith /s/ Joe Maxwell

/s/ Carl Hendrickson /s/ Roseann Bentley

/s/ Chuck Wooten /s/ Sam Graves

CONFERENCE COMMITTEE REPORT

ON

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILLS NOS. 1681 & 1342

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 & 1342, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bills Nos. 1681 & 1342;

2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1681 & 1342, as amended;

3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Don Koller /s/ Danny Staples

/s/ Gary Wiggins /s/ Bill McKenna

/s/ Sam Leake /s/ Jim Mathewson

/s/ Bill Foster /s/ Walt Mueller

/s/ Bonnie Sue Cooper /s/ Franc Flotron

CONFERENCE COMMITTEE REPORT

ON

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1052

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Bill No. 1052, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 1052;

2. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1052;

3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Louis Ford /s/ J. B. Banks

/s/ David L. Reynolds /s/ Phil B. Curls

/s/ Mark L. Richardson /s/ Ken Jacob

/s/ Phil Wannenmacher /s/ Marvin Singleton

/s/ Fletcher Daniels /s/ Roseann Bentley

CONFERENCE COMMITTEE REPORT NO. 2

ON

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 778

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Bill No. 778, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 778;

2. That the Senate recede from its position on Senate Bill No. 778;

3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 778 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Thomas Hoppe /s/ Ken Jacob

/s/ James Michael Foley /s/ William Clay

/s/ Henry C. Rizzo /s/ Harold Caskey

/s/ John E. Griesheimer /s/ Doyle Childers

/s/ Walt Mueller

CONFERENCE COMMITTEE REPORT

ON

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 883

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Committee Substitute for Senate Bill No. 883, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 2 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 5, House Substitute Amendment No. 1 for House Amendment No. 6, House Amendment No. 7, House Amendment No. 8 and House Amendment No. 9; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 883, as amended;

2. That the Senate recede from its position on Senate Bill No. 883;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 883 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Don Koller /s/ Danny Staples

/s/ Larry Thomason /s/ William P. McKenna

/s/ Brian May /s/ Ronnie DePasco

/s/ Judy Berkstresser /s/ Steve Ehlmann

/s/ Charles Pryor /s/ Betty Sims

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 9:00 a.m., Friday, May 8, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-seventh Day, Wednesday, May 6, 1998, pages 1506 and 1507, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 1506 and 1507, roll call, by showing Representative Loudon voting "no" rather than "aye".

Pages 1507 and 1508, roll call, by showing Representatives Donovan and Naeger voting "aye" rather than "absent with leave".

Pages 1508 and 1509, roll call, by showing Representative Hilgemann voting "aye" rather than "no".

Pages 1508 and 1509, roll call, by showing Representatives Murphy and Williams (121) voting "aye" rather than "absent with leave".

Pages 1509 and 1510, roll call, by showing Representatives Donovan, Long and Murray voting "aye" rather than "absent with leave".

Pages 1510 and 1511, roll call, by showing Representatives Hosmer, Kissell, Patek and Williams (121) voting "aye" rather than "absent with leave".

Page 1511, roll call, by showing Representatives Gross, Hosmer and Kissell voting "aye" rather than "absent with leave".

Page 1512, roll call, by showing Representatives Champion and Kissell voting "aye" rather than "absent with leave".

Pages 1512 and 1513, roll call, by showing Representative Kissell voting "aye" rather than "absent with leave".

Pages 1513 and 1514, roll call, by showing Representatives Boatright and Patek voting "aye" rather than "absent with leave".

Pages 1514 and 1515, roll call, by showing Representatives Crawford, Patek and Secrest voting "aye" rather than "absent with leave".

Page 1517, roll call, by showing Representatives Bennett and Hosmer voting "aye" rather than "absent with leave".

Pages 1517 and 1518, roll call, by showing Representative Bennett voting "aye" rather than "absent with leave".

Pages 1518 and 1519, roll call, by showing Representative Chrismer voting "no" rather than "aye".

Pages 1518 and 1519, roll call, by showing Representative Hilgemann voting "aye" rather than "absent with leave".

Pages 1519 and 1520, roll call, by showing Representatives Gaston, Hartzler (124) and Howerton voting "no" rather than "aye".

Page 1525, roll call, by showing Representatives Bennett, Enz, Hollingsworth, Kelley (47), Kissell, Kreider, Lawson and Thompson (72) voting "aye" rather than "absent with leave".

Page 1525, roll call, by showing Representative Loudon voting "no" rather than "absent with leave".

Page 1533, roll call, by showing Representatives Franklin, Secrest and Summers voting "aye" rather than "absent with leave".

Page 1534, roll call, by showing Representatives Patek, Smith and Summers voting "aye" rather than "absent with leave".

Pages 1535 and 1536, roll call, by showing Representatives O'Connor and Smith voting "aye" rather than "absent with leave".

Pages 1535 and 1536, roll call, by showing Representative Bennett voting "no" rather than "absent with leave".

Pages 1536 and 1537, roll call, by showing Representative Barnett voting "no" rather than "absent with leave".

Pages 1537 and 1538, roll call, by showing Representatives Kelley (47) and O'Connor voting "aye" rather than "absent with leave".

Page 1544, roll call, by showing Representatives Crawford, Davis (63) and Kreider voting "aye" rather than "absent with leave".

Page 1546, roll call, by showing Representatives Davis (63) and Surface voting "aye" rather than "absent with

leave".

Pages 1546 and 1547, roll call, by showing Representative Davis (63) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

CHILDREN, YOUTH AND FAMILIES

Friday, May 8, 1998. Hearing Room 8 upon morning adjournment. Executive session.

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY & PLANNING

Monday, May 11, 1998, 1:00 pm. Senate Committee Room #1 (118).

Dept.of Economic Development on Sister Cities.

HOUSE CALENDAR

Sixty-ninth Day, Friday, May 8, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

3 HCS HB 1674, HS#2, as amended, pending, - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1124 - Days

3 HS HB 1796 - Harlan

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR THIRD READING

1 HCS SS SCS SB 781, HSA1 for HA5, HA5, HS, a.a., pending - Stoll

2 HCS SB 787 - Riback Wilson

3 HCS SB 615 - Treadway

4 HCS SB 827 - Rizzo

5 SB 743 - Hoppe

6 HCS SCS SB 614,696,906,530,912 & 914 - May (108)

7 HCS SB 680 - May (108)

8 HCS SB 936 - Bray

9 SCS SB 561, HCA 1 - Boucher

10 HCS SS SCS SB 583 & 645 - Thomason (163)

11 HCS SB 619 - Stoll

12 HCS SB 674 - Riback Wilson

13 HCS SS SB 792 - Liese

14 HCS SCS SB 922 - Luetkenhaus

HOUSE BILLS WITH SENATE AMENDMENTS

1 SCS HCS HB 1013 - Green

2 SCS HCS HB 1020 - Franklin

3 HB 1021, SCA 1 - Franklin

4 SCS HB 987 - Richardson

5 SCS HB 1066 - Clayton

6 SCS HB 1272 - Holand

7 HB 1301, SCA 1 - Campbell

8 HB 1791, SCAs 1, 2 & 3 - Clayton

9 HB 1862, SCA 1 - Crawford

10 HCS HB 1189, SCA 1, SA 1 - Liese

11 SCS HB 1055, as amended - Thomason (163)

12 HB 1080, SCA 1 - Auer

13 SCS HCS HB 1620 - Overschmidt

BILL CARRYING REQUEST MESSAGES

1 SB 945, HA 1 (Req. House recede/grant conf.) - Thomason (163)

BILLS IN CONFERENCE

1 HCS SB 809 - Hoppe

2 CCR HCS SB 883, as amended - Koller

3 HCS SB 739 - Stoll

4 CCR SCS HB 927, as amended - Hosmer

5 CCR SCS HB 1052 - Ford

6 SCS HS HCS HB 1161, as amended, E.C. - Wiggins

7 CCR SCS HCS HB 1681 & 1342, as amended - Koller

8 SS SCS HS HCS HB 1095, as amended - Smith

9 HS#2 HCS SS SCS SB 675, 483, 490 & 564, as amended - Scheve

10 CCR#2 HCS SB 778 - Hoppe

11 SCS HS HCS HB 1636, as amended - Hoppe

12 SCS HB 1918 - Lograsso

HOUSE RESOLUTIONS

1 HR 38, (March 10, 1998, pg. 511) - Williams (121)

2 HR 130, (March 10, 1998, pg. 511) - Gratz

3 HR 213, (March 10, 1998, pgs. 511 & 512) - Crawford

COURTESY RESOLUTIONS

1 HR 1160 - Kissell

2 HR 1161 - Secrest

3 HR 1162 - Leake

4 HR 1163 - Parker

5 HR 1164, through HR 1168 - Hartzler (124)

6 HR 1169 - Parker

7 HR 1170 - Oversmidt

8 HR 1171, through HR 1174 - Purgason

9 HR 1175, and HR 1176 - Liese

10 HR 1177 - Sallee

11 HR 1178 - Ross

12 HR 1179 - Backer

13 HR 1180 - Richardson

14 HR 1181 - Townley

15 HR 1182 - Stroker

16 HR 1183 - Relford

17 HR 1184 - Crawford

18 HR 1185 - Copeland

19 HR 1186 - Patek

20 HR 1187 - Bartelsmeyer

21 HR 1188 - Kreider

22 HR 1189, through HR 1201 - Cierpiot

23 HR 1202 - Bland

24 HR 1203 - Fitzwater

25 HR 1204 - Koller

26 HR 1205 - Marble

27 HR 1206 - Crump

28 HR 1207 - Bartelsmeyer

29 HR 1208 - Fitzwater

30 HR 1209 - Chrismer

31 HR 1210, and HR 1211 - Wiggins

32 HR 1212 - Boucher

33 HR 1213 - Patek

34 HR 1214 - Graham

35 HR 1215 - Thompson (72)

36 HR 1216, and HR 1217 - Graham (24)

37 HR 1218 - Copeland

38 HR 1219 - Relford

39 HR 1220 - Dolan

40 HR 1221 - Klindt

41 HR 1222 - Parker

42 HR 1223 - Liese

43 HR 1224, and HR 1225 - Hollingsworth

44 HR 1226, and HR 1227 - Summers

45 HR 1228 - Johnson

46 HR 1229 - Hollingsworth

47 HR 1230 - Ross

48 HR 1231 - Leake

49 HR 1232 - Naeger

50 HR 1233, and HR 1234 - Gratz

51 HR 1235 - Williams (121)

52 HR 1236, through HR 1241 - Boucher

53 HR 1242, and HR 1243 - Richardson

54 HR 1244, and HR 1245 - Merideth

55 HR 1247, and HR 1248 - Vogel

56 HR 1249 - Scheve

57 HR 1250 - Klindt

58 HR 1251, through HR 1254 - Gaw

59 HR 1255 - Relford

60 HR 1256 - Naeger

61 HR 1257 - Champion

62 HR 1258, and Hr 1259 - Patek

63 HR 1260 - Kauffman

64 HR 1261, through HR 1263 - Richardson

65 HR 1264, through HR 1268 - Scott

66 HR 1269 - Boucher

67 HR 1270 - Days

68 HR 1271 - Enz

69 HR 1272 - Wannenmacher

70 HR 1273, through HR 1280 - Fitzwater

71 HR 1281 - Days

72 HR 1282 - Liese

73 HR 1283 - Luetkenhaus

74 HR 1284 - Ross

75 HR 1285 - Hoppe

76 HR 1286 - Cooper

77 HR 1287 - Ross

78 HR 1288, through HR 1290 - Kelley (47)

79 HR 1291 - Boucher

80 HR 1292 - Ross

81 HR 1293 - Linton

82 HR 1294 - Gaw

83 HR 1295, through HR 1297 - Hartzler (124)

84 HR 1298, and HR 1299 - Lakin

85 HR 1300 - Scott

86 HR 1301 - Cooper

87 HR 1302 - McBride

88 HR 1303 - Surface

89 HR 1304 - Purgason

90 HR 1305 - Howerton

91 HR 1306 - Gibbons

92 HR 1307 - Williams (121)

93 HR 1308 - Townley

94 HR 1309 - McClelland

95 HR 1310 - Sallee

96 HR 1311, and HR 1312 - Patek

97 HR 1313 - Troupe

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House Journal

Second Regular Session, 89th General Assembly

SIXTY-NINTH DAY, Friday, May 8, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Representative Betty Thompson.

I thank God for another day, a day that you and I have never seen before. This is a day we can be a little bit better than the day before. We ask the Lord to bless each legislator, that we may understand why we're here and effectively help the people we serve. As we vote on issues that effect all people give us the right guidance and as this session comes to a close help us to be kind and loving toward each other. We ask these blessings in Your name, Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ashley York, Miranda Lawson, Victoria Leigh (Tori) Murray, Patrick Green, Matthew Bernard and Christopher Hooten.

The Journal of the sixty-eighth day was approved as corrected.

RESOLUTIONS

Representative Thompson (72) offered House Resolution No. 1336, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Froelker offered House Resolution No. 1337, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Luetkenhaus offered House Resolution No. 1338, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 1339, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution No. 1340 through House Resolution No. 1342, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Skaggs offered House Resolution No. 1343, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Hohulin and Scheve offered House Resolution No. 1344, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Schilling, Hosmer and Wooten offered House Resolution No. 1345, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1346 through House Resolution No. 1350, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1351, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (123) offered House Resolution No. 1352, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 1353, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ladd Stokan offered House Resolution No. 1354, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gibbons offered House Resolution No. 1355, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crawford offered House Resolution No. 1356 and House Resolution No. 1357, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bennett offered House Resolution No. 1358 and House Resolution No. 1359, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bray offered House Resolution No. 1360 and House Resolution No. 1361, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Patek offered House Resolution No. 1362, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (159) offered House Resolution No. 1363 and House Resolution No. 1364, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution No. 1160 through **House Resolution No. 1245** and **House Resolution No. 1247** through **House Resolution No. 1313** were taken up by Representative Backer.

On motion of Representative Backer, **House Resolution No. 1160** through **House Resolution No. 1245** and **House Resolution No. 1247** through **House Resolution No. 1313** were adopted.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 948, HB 1046, SCS HB 1158, HB 1201, SS SCS HCS HBs 1519 & 1165, HB 1748, HB 1805** and **HB 1807**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HS HCS HB 1636: Representatives Hoppe, Shelton (57), Hickey, Pryor and Cooper.

SCS HB 1918: Representatives Lograsso, Ridgeway, Hosmer, Ladd Stokan and Stroker.

THIRD READING OF HOUSE BILL - INFORMAL

HB 1610, relating to peace officer certification, was taken up and placed back on the Informal Calendar.

HOUSE RESOLUTIONS

HR 38, relating to use of chamber, was taken up by Representative Williams (121).

On motion of Representative Williams (121), **HR 38** was adopted.

HR 213, relating to use of chamber, was taken up by Representative Crawford.

On motion of Representative Crawford, **HR 213** was adopted.

BILLS IN CONFERENCE

CCR SCS HCS HBs 1681 & 1342, as amended, relating to transportation oversight, was taken up by Representative Koller.

On motion of Representative Koller, **CCR SCS HCS HBs 1681 & 1342, as amended,** was adopted by the following vote:

AYES: 151

Akin Alter Backer Ballard Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 005

Auer Boatright Froelker Griesheimer Patek

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnett Bray 84 Edwards-Pavia Shear Surface

Townley

VACANCIES: 001

On motion of Representative Koller, **CCS SCS HCS HBs 1681 & 1342** was read the third time and passed by the following vote:

AYES: 157

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 001

Auer

PRESENT: 000

ABSENT WITH LEAVE: 004

Bray 84 Edwards-Pavia Shear Surface Mr. Speaker

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Stroker, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Bauer moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HB 1052, relating to workfare renovation project, was taken up by Representative Ford.

On motion of Representative Ford, **CCR SCS HB 1052** was adopted by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murphy
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Thomason 163 Thompson 37
Thompson 72 Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Edwards-Pavia Hohulin Shear Surface Townley

VACANCIES: 001

On motion of Representative Ford, **CCS SCS HB 1052** was read the third time and passed by the following vote:

AYES: 157

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murphy
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Edwards-Pavia Long Shear Surface Williams 121

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Bartlett, title to the bill was agreed to.

Representative Bray moved that the vote by which the bill passed be reconsidered.

Representative Boucher moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HB 927, as amended, relating to political activities by state employees, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **CCR SCS HB 927, as amended**, was adopted by the following vote:

AYES: 097

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Bray 84 Campbell Carter

Clayton Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Dougherty Farnen Fitzwater Foley Ford

Franklin Fritts Graham 24 Gratz Green

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Heckemeyer Hendrickson Hickey Hollingsworth Hoppe

Hosmer Johnson Kasten Kauffman Kelly 27

Kennedy Kissell Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Long Luetkenhaus May 108 Mays 50 McBride

McLuckie Monaco Murray O'Connor O'Toole

Overschmidt Parker Patek Ransdall Relford

Reynolds Rizzo Robirds Scheve Schilling

Schwab Seigfreid Sheldon 104 Shelton 57 Skaggs

Smith Stokan Stoll Stroker Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 059

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Crawford

Donovan Elliott Enz Evans Foster

Froelker Gaskill Gaston Gibbons Graham 106

Griesheimer Hall Hartzler 124 Hegeman Hohulin

Holand Howerton Kelley 47 Klindt Linton

Lograsso Loudon Marble McClelland Merideth

Miller Murphy Naeger Nordwald Ostmann

Pouche Pryor Purgason Reinhart Richardson

Ridgeway Ross Sallee Scott Secrest

Shields Steen Summers Townley

PRESENT: 000

ABSENT WITH LEAVE: 006

Boucher Edwards-Pavia Hilgemann Shear Surface

Wannenmacher

VACANCIES: 001

On motion of Representative Hosmer, **CCS SCS HB 927** was read the third time and passed by the following vote:

AYES: 104

Auer Backer Barry 100 Bartelsmeyer Bartlett

Bauer Bland Boatright Bonner Boucher

Bray 84 Broach Carter Clayton Cooper

Copeland Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Dougherty

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Graham 106 Graham 24 Gratz

Green Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Heckemeyer Hendrickson Hickey Hilgemann
Hollingsworth Hoppe Hosmer Johnson Kasten
Kauffman Kelly 27 Kennedy Kissell Koller
Kreider Lakin Lawson Leake Legan
Liese Long Luetkenhaus May 108 Mays 50
McBride McLuckie Merideth Monaco Murray
Naeger O'Connor O'Toole Overschmidt Parker
Ransdall Relford Reynolds Richardson Rizzo
Scheve Schilling Schwab Seigfreid Sheldon 104
Shelton 57 Skaggs Smith Stokan Stoll
Stroker Thomason 163 Thompson 37 Thompson 72 Treadway
Troupe Van Zandt Vogel Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 050

Akin Alter Ballard Barnett Bennett
Berkstresser Burton Champion Chrismer Cierpiot
Crawford Elliott Enz Evans Froelker
Gaston Gibbons Griesheimer Hall Hegeman
Hohulin Holand Howerton Kelley 47 Klindt
Levin Linton Lograsso Loudon Marble
McClelland Miller Murphy Nordwald Ostmann
Patek Pouche Pryor Purgason Reinhart
Ridgeway Robirds Ross Sallee Scott
Secrest Shields Steen Summers Townley

PRESENT: 000

ABSENT WITH LEAVE: 008

Campbell Donovan Edwards-Pavia Gaskill Hartzler 124
Shear Surface Wannenmacher

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

HOUSE RESOLUTION

HR 130, relating to use of chamber, was taken up by Representative Gratz.

On motion of Representative Gratz, **HR 130** was adopted.

Speaker Gaw assumed the Chair.

MOTION

SCS HB 1683, relating to alternative education placement hearings, was taken up by Representative Fitzwater.

Representative Fitzwater moved that the House refuse to adopt **SCS HB 1683** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted by the following vote:

AYES: 112

Akin Alter Auer Backer Barnett

Barry 100 Bartlett Bland Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Clayton Cooper Copeland Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Donovan Dougherty Evans Farnen

Fitzwater Foley Ford Franklin Fritts

Gibbons Graham 24 Gratz Green Gross

Gunn Hagan-Harrell Harlan Heckemeyer Hegeman

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Johnson Kauffman Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Liese Luetkenhaus May 108 Mays 50

McBride McClelland McLuckie Merideth Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Pryor

Ransdall Relford Reynolds Ridgeway Rizzo

Scheve Schilling Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 044

Ballard Bartelsmeyer Bauer Berkstresser Boatright

Bonner Crawford Dolan Elliott Enz

Foster Froelker Gaskill Gaston Graham 106

Griesheimer Hall Hartzler 123 Hartzler 124 Hendrickson

Hohulin Howerton Kasten Kelley 47 Klindt

Legan Levin Linton Lograsso Long

Loudon Marble Miller Patek Pouche

Purgason Reinhart Richardson Robirds Ross

Sallee Schwab Scott Vogel

PRESENT: 000

ABSENT WITH LEAVE: 006

Bennett Cierpiot Edwards-Pavia Shear Surface

Wannenmacher

VACANCIES: 001

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SS #2 SCS SB 632, as amended**, and requests that the House grant a conference thereon.

And further that the conferees be bound to adopt the following amendment:

"Amend said bill, page 2, section 208.185, line 12, of said page, by striking the word "available" and inserting in lieu thereof the following: "**gross**"; and

Further amend said bill and section, page 4, lines 20 to 22, of said page, by striking all of said lines; and further amend said bill and section, page 5, lines 1 and 2, of said page, by striking all of said lines and inserting in lieu thereof the following:

"**7. There shall be a thirty day waiting period after enrollment for uninsured children in families with a gross income of more than two hundred percent of the federal poverty level before the child becomes eligible for insurance under the provisions under this act. If the parent or guardian with a gross income of more than two hundred percent of the federal poverty level does not make the copayment or premium payment required in this section, the child shall not be eligible for coverage under this act for six months after the department provides notice of such failure to the parent or guardian.**"; and

further that the conferees be instructed to reject House Amendment No. 2.

"and further amend said bill, Page 7, Section 208.185, Line 11 of said page, by inserting immediately after all of said line the following:

"**12. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority of this chapter, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the**

effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act."

MOTION

HS SS#2 SCS SB 632, as amended, relating to child health care, was taken up by Representative Lakin.

Representative Lakin moved that the House refuse to grant the Senate a conference on **HS SS#2 SCS SB 632, as amended,** and request the Senate to take up and pass **HS SS#2 SCS SB 632, as amended**.

Representative Marble made a substitute motion that the House grant the Senate a conference on **HS SS#2 SCS SB 632, as amended,** and that the conferees be allowed to exceed the differences on **House Substitute Amendment No. 1 for House Amendment No. 6** and be bound to the language in Section 208.185, line 12, in place of **House Substitute Amendment No. 1 for House Amendment No. 6**.

Representative Lakin raised a point of order that the substitute motion is a negative motion.

The Chair ruled the point of order well taken.

Representative Lakin again moved that the House refuse to grant the Senate a conference on **HS SS#2 SCS SB 632, as amended,** and request the Senate to take up and pass **HS SS#2 SCS SB 632, as amended**.

Which motion was adopted by the following:

AYES: 084

Auer Backer Barry 100 Bartlett Bauer

Bland Boucher Bray 84 Campbell Carter

Clayton Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Farnen Fitzwater Foley Franklin

Fritts Graham 24 Gratz Green Gunn

Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann

Hollingsworth Hoppe Hosmer Johnson Kelly 27

Kennedy Kissell Koller Kreider Lakin

Lawson Leake Liese Luetkenhaus May 108

Mays 50 McBride McClelland McLuckie Monaco

Murray O'Connor O'Toole Overschmidt Parker

Ransdall Relford Reynolds Rizzo Scheve

Schilling Seigfreid Shelton 57 Skaggs Smith

Stokan Stoll Stroker Thomason 163 Thompson 37

Thompson 72 Treadway Troupe Van Zandt Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 073

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Burton
Champion Chrismer Cierpiot Cooper Crawford
Dolan Elliott Enz Evans Ford
Foster Froelker Gaskill Gaston Gibbons
Graham 106 Griesheimer Gross Hall Hartzler 123
Hartzler 124 Hegeman Hendrickson Hohulin Holand
Howerton Kasten Kauffman Kelley 47 Klindt
Legan Levin Linton Lograsso Long
Loudon Marble Merideth Miller Murphy
Naeger Nordwald Ostmann Patek Pouche
Pryor Purgason Reinhart Richardson Ridgeway
Robirds Ross Sallee Schwab Scott
Secrest Sheldon 104 Shields Steen Summers
Townley Vogel Wooten

PRESENT: 000

ABSENT WITH LEAVE: 005

Bonner Edwards-Pavia Shear Surface Wannenmacher

VACANCIES: 001

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 987, relating to marriage licenses, was taken up by Representative Richardson.

On motion of Representative Richardson, **SCS HB 987** was adopted by the following vote:

AYES: 135

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Boatright Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Clayton Cooper Crawford Crump
Daniels 41 Davis 122 Davis 63 Dolan Donovan
Dougherty Elliott Enz Evans Ford
Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Luetkenhaus Marble May 108 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Steen

Stokan Stoll Stroker Summers Thomason 163

Townley Treadway Troupe Van Zandt Vogel

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 016

Bland Daniel 42 Days DeMarce Farnen

Fitzwater Foley Graham 24 Hall Harlan

Loudon Parker Scheve Smith Thompson 37

Thompson 72

PRESENT: 000

ABSENT WITH LEAVE: 011

Bonner Cierpiot Copeland Edwards-Pavia Hollingsworth

Mays 50 Sallee Shear Surface Wannenmacher

Wiggins

VACANCIES: 001

On motion of Representative Richardson, **SCS HB 987** was truly agreed to and finally passed by the following vote:

AYES: 137

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Boatright Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Dolan Donovan Dougherty Elliott Enz
Evans Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Gratz Green Griesheimer
Gross Gunn Hall Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hohulin
Holand Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger Nordwald
O'Toole Ostmann Overschmidt Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Schilling Schwab Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Stokan Stoll Stroker Summers
Thomason 163 Townley Treadway Troupe Van Zandt
Vogel Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 014

Bland Days DeMarce Farnen Graham 24
Hagan-Harrell Harlan Hilgemann Hollingsworth Parker
Scheve Smith Thompson 37 Thompson 72

PRESENT: 000

ABSENT WITH LEAVE: 011

Bonner Copeland Edwards-Pavia Kelly 27 Kennedy
Lograsso O'Connor Shear Steen Surface
Wannenmacher

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Luetkenhaus, title to the bill was agreed to.

Representative Monaco moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

SCS HCS HB 1013, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **SCS HCS HB 1013** was adopted by the following vote:

AYES: 143

Alter Auer Backer Ballard Barnett
Barry 100 Bartlett Bauer Bennett Berkstresser
Bland Boucher Bray 84 Broach Burton
Campbell Carter Champion Chrismer Cierpiot
Clayton Cooper Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dolan Donovan Dougherty Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Liese Linton Lograsso Long
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Pouche
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 009

Akin Bartelsmeyer Boatright Froelker Hall

Hohulin Loudon Patek Pryor

PRESENT: 000

ABSENT WITH LEAVE: 010

Bonner Copeland Edwards-Pavia Levin Sallee

Shear Surface Thomason 163 Thompson 37 Wannenmacher

VACANCIES: 001

On motion of Representative Green, **SCS HCS HB 1013** was truly agreed to and finally passed by the following vote:

AYES: 148

Alter Auer Backer Ballard Barnett

Barry 100 Bartlett Bauer Bennett Berkstresser

Bland Boatright Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Levin Liese Linton

Lograsso Long Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Pouche Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Sheldon 104
Shelton 57 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Thomason 163
Thompson 37 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 007

Akin Bartelsmeyer Hall Hohulin Loudon
Patek Pryor

PRESENT: 000

ABSENT WITH LEAVE: 007

Bonner Copeland Edwards-Pavia Legan Shear
Surface Wannenmacher

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Hickey moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1066, relating to uniform commercial code, was taken up by Representative Clayton.

On motion of Representative Clayton, **SCS HB 1066** was adopted by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bennett
Berkstresser Bland Boatright Boucher Bray 84
Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Howerton Johnson

Kasten Kauffman Kelley 47 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Bauer Bonner Copeland Dougherty Edwards-Pavia

Gibbons Hosmer Kelly 27 Naeger Shear

Surface Wannenmacher

VACANCIES: 001

On motion of Representative Clayton, **SCS HB 1066** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin Alter Backer Ballard Barry 100
Bartelsmeyer Bartlett Bauer Bennett Berkstresser
Bland Bonner Boucher Broach Burton
Campbell Carter Champion Chrismer Cierpiot
Clayton Cooper Copeland Crawford Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murphy
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Thomason 163 Thompson 37 Thompson 72
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 005

Auer Boatright Froelker Griesheimer Patek

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnett Bray 84 Edwards-Pavia Shear Surface

Townley

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Seigfreid moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1272, relating to Springfield school board, was taken up by Representative Holand.

Representative Holand moved that the House refuse to adopt **SCS HB 1272** and request the Senate to recede from its position or, failing to do so, grant the House a conference and the conferees be allowed to exceed the differences.

Which motion was adopted.

Speaker Pro Tem Kreider resumed the Chair.

HB 1301, with Senate Committee Amendment No. 1, relating to taxation, was taken up by Representative Campbell.

Representative Campbell moved that the House refuse to concur in Senate Committee Amendment No. 1 and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HB 1791, with Senate Committee Amendment No. 1, Senate Committee Amendment No. 2 and Senate Committee Amendment No. 3, relating to Mid-American port commission, was taken up by Representative Clayton.

On motion of Representative Clayton, the House concurred in Senate Committee Amendment No. 1, Senate Committee Amendment No. 2 and Senate Committee Amendment No. 3 by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner Copeland Edwards-Pavia Holand Lograsso

McClelland Shear Surface Wannenmacher

VACANCIES: 001

On motion of Representative Clayton, **HB 1791, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Boatright Boucher Bray 84

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland Bonner Broach Copeland Edwards-Pavia

Lograsso McClelland Overschmidt Shear Surface

Wannenmacher

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Bauer, title to the bill was agreed to.

Representative Fritts moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

HB 1862, with Senate Committee Amendment No. 1, relating to land surveyors, was taken up by Representative Crawford.

On motion of Representative Crawford, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Bland Boatright Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Thomason 163 Thompson 37 Thompson 72

Townley Troupe Van Zandt Vogel Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Berkstresser Bonner Copeland Edwards-Pavia Franklin

Holand Lograsso McClelland Shear Surface

Treadway Wannenmacher

VACANCIES: 001

On motion of Representative Crawford, **HB 1862, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Shields Skaggs Smith Steen

Stoll Stroker Summers Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bonner Copeland Edwards-Pavia Franklin Lograsso

Shear Sheldon 104 Stokan Surface Wannenmacher

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative DeMarce, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1189, with Senate Committee Amendment No. 1 and Senate Amendment No. 1, relating to credit transactions, was taken up by Representative Liese.

Representative Liese moved that the House concur in Senate Committee Amendment No. 1, but refuse to concur in Senate Amendment No. 1 and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 1055, as amended, relating to franchises and other agreements, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **SCS HB 1055, as amended**, was adopted by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Leake

Legan Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner Copeland Edwards-Pavia Lawson Levin

Shear Surface Wannenmacher Wiggins

VACANCIES: 001

On motion of Representative Thomason (163), **SCS HB 1055, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Bland Boatright Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Thomason 163

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bauer Bonner Copeland Edwards-Pavia Lawson

McClelland Shear Surface Thompson 37 Wannenmacher

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

HB 1080, with Senate Committee Amendment No. 1, relating to commercial casualty insurance, was taken up by Representative Auer.

On motion of Represenative Auer, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Dougherty

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Levin Liese Linton Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bonner Copeland Donovan Edwards-Pavia Legan

Lograsso Long Shear Surface Wannenmacher

VACANCIES: 001

On motion of Representative Auer, **HB 1080, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bonner Copeland Edwards-Pavia Lograsso Shear
Surface Wannenmacher

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hosmer, title to the bill was agreed to.

Representative Kennedy moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

SCS HCS HB 1620, relating to funding the Division of Tourism, was taken up by Representative Overschmidt.

On motion of Representative Overschmidt, **SCS HCS HB 1620** was adopted by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stoll Stroker Summers Thomason 163

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 009

Barry 100 Bonner Copeland Edwards-Pavia Shear

Stokan Surface Thompson 37 Wannenmacher

VACANCIES: 001

On motion of Representative Overschmidt, **SCS HCS HB 1620** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 010

Backer Bonner Copeland Edwards-Pavia Legan
Sallee Shear Surface Thompson 37 Wannenmacher

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Clayton, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Graham (24) moved that motion lay on the table.

The latter motion prevailed.

SCS HCS HB 1020, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **SCS HCS HB 1020** was adopted by the following vote:

AYES: 138

Alter Auer Backer Ballard Barry 100
Bartelsmeyer Bartlett Bauer Bennett Berkstresser
Bland Boatright Boucher Bray 84 Broach
Burton Campbell Champion Chrismer Cierpiot
Clayton Cooper Crawford Crump Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Elliott Enz Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Gaskill Gaston Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Harlan Hartzler 123 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Koller Kreider Lakin Lawson
Leake Legan Levin Liese Long

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Overschmidt Parker Patek Pouche Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Skaggs Smith Steen

Stokan Stoll Stroker Summers Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 016

Akin Barnett Carter Daniel 42 Evans

Froelker Gibbons Hall Hartzler 124 Klindt

Linton Loudon Murphy Ostmann Pryor

Shields

PRESENT: 000

ABSENT WITH LEAVE: 008

Bonner Copeland Edwards-Pavia Lograsso Shear

Sheldon 104 Surface Wannenmacher

VACANCIES: 001

On motion of Representative Franklin, **SCS HCS HB 1020** was truly agreed to and finally passed by the following vote:

AYES: 144

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Boatright Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Griesheimer Gross Gunn Hagan-Harrell
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Lograsso
Long Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Steen Stoll Stroker
Summers Thomason 163 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 006

Akin Hall Loudon Murphy Pryor
Purgason

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland Bonner Copeland Edwards-Pavia Green
Kelley 47 Linton Shear Stokan Surface
Thompson 37 Wannenmacher

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Thomason (163), title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Clayton moved that motion lay on the table.

The latter motion prevailed.

HB 1021, with Senate Committee Amendment No. 1, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 148

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Boatright Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stoll Stroker Summers Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 006

Akin Gaston Hall Hohulin Pryor

Purgason

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland Bonner Copeland Edwards-Pavia Shear

Stokan Surface Wannenmacher

VACANCIES: 001

On motion of Representative Franklin, **HB 1021, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 143

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Boatright Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaskill Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Pouche

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stoll Stroker Summers

Thomason 163 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 008

Akin Gaston Hall Hohulin Murphy

Patek Pryor Purgason

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland Bonner Copeland Dougherty Edwards-Pavia

Ford Shear Stokan Surface Thompson 37

Wannenmacher

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hilgemann, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

MOTION

HB 950, with Senate Committee Amendment No. 1, relating to agriculture, was taken up by Representative Leake.

On the motion of Representative Leake, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 143

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Boatright Boucher Bray 84

Broach Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Loudon Luetkenhaus Marble May 108 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Purgason Ransdall Reinhart Relford

Reynolds Richardson Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stoll Stroker

Summers Thomason 163 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Bland Bonner Burton Copeland Edwards-Pavia

Ford Harlan Hartzler 123 Lograsso Long

Mays 50 Pryor Ridgeway Shear Stokan

Surface Thompson 37 Wannenmacher Wooten

VACANCIES: 001

On motion of Representative Leake, **HB 950, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 145

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Boatright Boucher Bray 84
Broach Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Crawford Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Elliott
Enz Evans Farnen Fitzwater Foley
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Loudon Luetkenhaus Marble May 108
McBride McClelland McLuckie Merideth Miller
Monaco Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stoll
Stroker Summers Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland Bonner Burton Copeland Edwards-Pavia

Ford Hartzler 123 Lograsso Long Mays 50

Ridgeway Shear Stokan Surface Wannenmacher

Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Parker, title to the bill was agreed to.

Representative Riback Wilson moved that the vote by which the bill passed be reconsidered.

Representative Carter moved that motion lay on the table.

The latter motion prevailed.

BILL IN CONFERENCE

SCS HS HCS HB 1636, as amended, relating to community improvement, was taken up by Representative Hoppe.

Representative Hoppe moved that the House conferees be allowed to exceed the differences on **SCS HS HCS HB 1636, as amended**.

Representative Shields made a substitute motion that the House conferees on **SCS HS HCS HB 1636, as amended**, be allowed to exceed the differences relative to the definitional section on page 2 of the bill.

Which motion was adopted by the following vote:

AYES: 079

Akin Alter Ballard Barnett Bartelsmeyer

Bartlett Bennett Berkstresser Boatright Broach

Champion Chrismer Cierpiot Crawford Daniel 42

Daniels 41 Dolan Donovan Elliott Enz

Evans Ford Foster Froelker Gaskill

Gaston Gibbons Graham 106 Griesheimer Gross

Gunn Hall Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Kasten

Kauffman Kelley 47 Klindt Legan Levin

Linton Lograsso Loudon Marble McClelland

Merideth Miller Murphy Naeger Nordwald

Ostmann Patek Pouche Pryor Purgason

Reinhart Richardson Ridgeway Robirds Ross

Sallee Schwab Scott Secrest Seigfreid

Sheldon 104 Shields Steen Stokan Summers

Thompson 72 Townley Troupe Vogel

NOES: 074

Auer Backer Barry 100 Bauer Bland

Boucher Bray 84 Campbell Carter Clayton

Cooper Copeland Crump Davis 122 Davis 63

Days DeMarce Dougherty Farnen Fitzwater

Foley Franklin Fritts Graham 24 Gratz

Green Hagan-Harrell Harlan Heckemeyer Hickey

Hilgemann Hollingsworth Hoppe Hosmer Johnson

Kelly 27 Kennedy Kissell Koller Kreider

Lakin Lawson Leake Liese Luetkenhaus

May 108 McBride McLuckie Monaco Murray

O'Connor O'Toole Overschmidt Parker Ransdall

Relford Reynolds Rizzo Scheve Schilling

Shelton 57 Skaggs Smith Stoll Stroker

Thomason 163 Thompson 37 Treadway Van Zandt Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner Burton Edwards-Pavia Long Mays 50

Shear Surface Wannenmacher Wooten

VACANCIES: 001

THIRD READING OF SENATE BILL

HCS SS SCS SB 781, with House Substitute Amendment No 1 for House Amendment No. 5, House Amendment No. 5 and HS, as amended, pending, relating to desegregation, was again taken up by Representative Stoll.

On motion of Representative Shields, House Substitute Amendment No. 1 for House Amendment No. 5 was adopted.

Representative Shields offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 25, Section 162.081, Line 7 of said page, by inserting after all of said line the following:

"**9. In the event a metropolitan school district or an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants lapses, no school district shall have all or any part of such lapsed school district attached without the approval of the board of the receiving school district.**".

On motion of Representative Shields, House Amendment No. 6 was adopted.

Representative Shields offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 22, Section 162.081, Line 14 of said page, by deleting all of said line and inserting in lieu thereof the following:

"**3. In a metropolitan school district or an urban school containing most or all of a city with a population greater than three hundred fifty thousand inhabitants, and in any other school district if a return to accredited status is not anticipated by the local board of education, the**".

On motion of Representative Shields, House Amendment No. 7 was adopted.

Representative Barry offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 83, Section 163.031, Lines 16 through 18 of said page by deleting all of said lines and inserting in lieu thereof the following:

"from the foundation formula entitlement payment amount. The" and

Further amend said bill, Page 83, Section 163.031, Line 22 of said page by inserting immediately after the word "section" the following:

" **A district qualifying for an additional payment pursuant to this section shall receive an amount equal to the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14 of subsection 6 of this section times the quotient of line 1 minus line 10, or zero if line 1 minus line 10 is less than zero, divided by the revenue per eligible pupil received by the district in the 1992-93 school year from the foundation formula entitlement payment amount**".

Representative Stoll offered House Substitute Amendment No. 1 for House Amendment

No. 8.

House Substitute Amendment No. 1

for

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 83, Section 163.031, Line 18 of said page by inserting immediately after the word "**year**" the following:

"**, or the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14 per eligible pupil times the quotient of line 1 minus line 10, divided by the number of eligible pupils, or zero if line 1 minus line 10 is less than zero, divided by the revenue per eligible pupil received by the district in the 1992-93 school year from the foundation formula**

entitlement payment amount, whichever is greater".

On motion of Representative Stoll, House Substitute Amendment No. 1 for House Amendment No. 8 was adopted.

Representative Scheve assumed the Chair.

HCS SS SCS SB 781, with HS, as amended, pending, was laid over.

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **SS SCS SBs 771 & 687**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **SS SB 910**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Consumer Protection, Chairman McLuckie reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **HB 993**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred **SB 773**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 802 - Municipal Corporations

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SCS SB 802 - Urban Affairs

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SB 778**, and has taken up and passed **CCS#2 HCS SB 778**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HB 1410, as amended**, and has taken up and passed **HB 1410, as amended, by the CCR**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to

concur in **HS HCS SB 487, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 722, as amended** and has taken up and passed **HS HCS SCS SB 722, as amended**.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 6:00 p.m., Sunday, May 10, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-eighth Day, Thursday, May 7, 1998, page 1558, by inserting after line 9, the following:

"Representative Smith offered House Resolution No. 1324, which was referred to the Committee on Miscellaneous Bills and Resolutions."

Page 1611, Line 21, by deleting on said line, "HCS HB 778" and inserting in lieu thereof, "HCS SB 778".

Pages 1558 and 1559, roll call, by showing Representative Lakin voting "aye" rather than "absent with leave".

Pages 1559 and 1560, roll call, by showing Representatives Bartelsmeyer, Dolan and Lakin voting "aye" rather than "absent with leave".

Pages 1561 and 1562, roll call, by showing Representatives Barry, Franklin, Hegeman, Lakin and Mays (50) voting "aye" rather than "absent with leave".

Pages 1562 and 1563, roll call, by showing Representatives Kasten and Lakin voting "aye" rather than "absent with leave".

Page 1563, roll call, by showing Representatives McClelland and Naeger voting "aye" rather than "absent with leave".

Page 1564, roll call, by showing Representatives Dolan, Franklin and Lakin voting "aye" rather than "absent with leave".

Page 1565, roll call, by showing Representatives Dolan, Franklin, Klindt, Lakin, Reynolds and Summers voting "aye" rather than "absent with leave".

Pages 1571 and 1572, roll call, by showing Representatives Lakin, McClelland and Robirds voting "aye" rather than "absent with leave".

Pages 1572 and 1573, roll call, by showing Representatives Campbell, Chrismer, Cooper, Reinhart, Lakin and Patek voting "aye" rather than "absent with leave".

Pages 1573 and 1574, roll call, by showing Representatives Champion, Chrismer, Lakin, Patek and Reinhart voting "aye" rather than "absent with leave".

Page 1574, roll call, by showing Representatives Ballard and Lakin voting "aye" rather than "absent with leave".

Page 1575, roll call, by showing Representatives Dolan, Franklin and Lakin voting "aye" rather than "absent with leave".

Pages 1575 and 1576, roll call, by showing Representatives Akin, Cooper, Dolan, Franklin, Gross and Patek voting "aye" rather than "absent with leave".

Pages 1576 and 1577, roll call, by showing Representatives Akin, Cooper, Franklin and Ridgeway voting "aye" rather than "absent with leave".

Pages 1577 and 1578, roll call, by showing Representatives Cooper, Davis (63), Franklin and Hegeman voting "aye" rather than "absent with leave".

Pages 1578 and 1579, roll call, by showing Representatives Davis (63), Franklin and Mays (50) voting "aye" rather than "absent with leave".

Pages 1579 and 1580, roll call, by showing Representatives Cooper, Dolan, Franklin, Hosmer, Patek, Purgason and Summers voting "aye" rather than "absent with leave".

Pages 1580 and 1581, roll call, by showing Representatives Dolan, Franklin, Hilgemann and Naeger voting "aye" rather than "absent with leave".

Pages 1581 and 1582, roll call, by showing Representatives Akin, Franklin, Hosmer and Ridgeway voting "aye" rather than "absent with leave".

Pages 1582 and 1583, roll call, by showing Representatives Akin, Dolan, Enz, Franklin, Hosmer, Robirds, Scott and Summers voting "aye" rather than "absent with leave".

Pages 1583 and 1584, roll call, by showing Representatives Dolan, Franklin, Froelker and Hosmer voting "aye" rather than "absent with leave".

Pages 1584 and 1585, roll call, by showing Representatives Froelker and Purgason voting "no" rather than "absent with leave".

Pages 1586 and 1587, roll call, by showing Representative Hoppe voting "aye" rather than "absent with leave".

Pages 1587 and 1588, roll call, by showing Representatives Davis (63), Mays (50) and Ridgeway voting "aye" rather than "absent with leave".

Page 1588, roll call, by showing Representatives Davis (63) and Ridgeway voting "aye" rather than "absent with leave".

Pages 1599 and 1600, roll call, by showing Representatives Berkstresser, Broach, Hollingsworth, Hoppe, Kelly (27) and McClelland voting "aye" rather than "absent with leave".

COMMITTEE MEETING

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY & PLANNING

Monday. May 11, 1009, 1:00 pm. Senate Committee Room #1 (118). Dept. of

Economic Development on Sister Cities.

HOUSE CALENDAR

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040, 1554, 1252, 1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending - Dougherty

3 HCS HB 1674, HS#2, as amended, pending - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1124 - Days

3 HS HB 1796 - Harlan

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, DeMarce - (CONSENT)

SENATE BILLS FOR THIRD READING

1 HCS SS SCS SB 781, HS, a.a., pending - Stoll

2 HCS SB 787 - Riback Wilson

3 HCS SB 615 - Treadway

4 HCS SB 827 - Rizzo

5 SB 743 - Hoppe

6 HCS SCS SB 614, 696, 906, 530, 912 & 914 - May (108)

7 HCS SB 680 - May (108)

8 HCS SB 936 - Bray

9 SCS SB 561, HCA 1 - Boucher

10 HCS SS SCS SB 583 & 645 - Thomason (163)

11 HCS SB 619 - Stoll

12 HCS SB 674 - Riback Wilson

13 HCS SS SB 792 - Liese

14 HCS SCS SB 922 - Luetkenhaus

BILLS CARRYING REQUEST MESSAGES

1 SB 945, HA 1 (Req, House recede/grant conf.) - Thomason (163)

2 HS HCS SB 487, a.a. (Req. House recede/grant conf.) - Auer

3 HS SS#2 SCS SB 632, a.a. (House refuse to grant conf./req. Sen. to take up and pass bill) - Lakin

4 SCS HB 1272, (Req. Sen. recede/grant conf.) - Holand

5 SCS HB 1683, a.a. (Req. Sen. recede/grant conf.) - Fitzwater

6 HB 1301, SCA 1 (Req. Sen. recede/grant conf./allow conferees to exceed diff.) - Campbell

7 HCS HB 1189, SCA 1 & SA 1 (Req. Sen. recede on SA 1/grant conf.) - Liese

BILLS IN CONFERENCE

1 HCS SB 809 - Hoppe

2 CCR HCS SB 883, as amended - Koller

3 HCS SB 739 - Stoll

4 SCS HS HCS HB 1161, as amended, E.C. - Wiggins

5 SS SCS HS HCS HB 1095, as amended - Smith

6 HS#2 HCS SS SCS SB 675, 483, 490 & 564, as amended - Scheve

7 CCR#2 HCS SB 778 - Hoppe

8 SCS HS HCS HB 1636, as amended - Hoppe

9 SCS HB 1918 - Lograsso

HOUSE RESOLUTION

HR 1246 - Vogel

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Committees
Media Center
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Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
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House Journal

Second Regular Session, 89th General Assembly

SEVENTIETH DAY, Sunday, May 10, 1998

The House met pursuant to adjournment.

Representative Backer in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1033, HB 1113, HB 1148, HB 1157, HB 1216, HB 1226, HB 1300, SCS HB 1309, HB 1369, SCS HB 1385, HB 1476, HB 1506, SCS HB 1528, HB 1531, SCS HB 1556, SCS HB 1571, HB 1587, HB 1600, HB 1622, HB 1744, HB 1837, HB 1847, HB 1856** and **HB 1905**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 745 - Budget (Fiscal Note)

HCS SB 773 - Budget (Fiscal Note)

HCS SB 641 - Budget (Fiscal Note)

HCS SS SB 657 - Budget (Fiscal Note)

SB 588 - Budget (Fiscal Note)

SB 709 - Budget (Fiscal Note)

HCS SCS SBs 532, 806 & 633 - Budget (Fiscal Note)

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 12:00 noon, Monday, May 11, 1998.

COMMITTEE MEETINGS

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY & PLANNING

Monday, May 11, 1998, 1:00 pm. Senate Committee Room #1 (118).

Dept. of Economic Development on Sister Cities.

MISCELLANEOUS BILLS AND RESOLUTIONS

Monday, May 11, 1998, 11:30 am. Hearing Room 6. Executive session may follow.

To be considered - HCR 30

URBAN AFFAIRS

Monday, May 11, 1998. Hearing Room 9 immediately upon evening adjournment.

Executive session may follow.

To be considered - SB 802

HOUSE CALENDAR

Seventy-first Day, Monday, May 11, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

3 HJR 41 - Kelly (27)

4 HJR 31 - Graham (24)

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040, 1554, 1252, 1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

13 HB 1871 - Bland

14 HCS HB 1139 - Green

15 HCS HB 1078 & 1568 - Van Zandt

16 HCS HB 1678 - Wiggins

17 HB 1689, HCA 1 - Murray

18 HCS HB 1163,1211,1225 & 1660 - Parker

19 HCS HB 1768 - Franklin

20 HB 1553, HCA 1 - Foley

21 HCS HB 988 - Pouche

22 HCS HB 925 - Johnson

23 HB 993 - Bray

24 HB 939 - Backer

25 HB 1028 - Kissell

26 HCS HB 1065, 1180 & 1121 - Smith

27 HB 1634 - May (108)

28 HCS HB 1546, 1305 & 1275 - Scheve

29 HCS HB 1104 - Treadway

30 HCS HB 1034 - Campbell

31 HCS HB 1056, 905, 1538 & 1130 - Troupe

32 HCS HB 1067, 1254, 1358, 1359, 1370 & 1575 - Parker

33 HCS HB 1075 - Kreider

34 HCS HB 1127,1399,990 & 935 - May (108)

35 HCS HB 1135 & 991 - Luetkenhaus

36 HCS HB 1140 & 1329 - Green

37 HB 1199 - Treadway

38 HCS HB 1222 & 1347 - Farnen

39 HB 1231, HCA 1 - Dougherty

40 HB 1244, HCA 1 - Riback Wilson

41 HCS HB 1248, 1461, 1502, 1529 & 1530 - Clayton

42 HCS HB 1327 - Reynolds

43 HCS HB 1361 - Treadway

44 HCS HB 1337 - Reinhart

45 HB 1603 - Champion

46 HCS 1297 & 1495 - Levin

47 HCS HB 1384, 982 & 954 - Stoll

48 HB 1394, HCA 1 - Dougherty

49 HB 1443 - May (108)

50 HB 1450 - Barry

51 HB 1467, HCA 1 - Champion

52 HCS HB 1618 & 953 - Thomason (163)

53 HCS HB 1628 - Seigfreid

54 HCS HB 1648 & 1709 - Crump

55 HB 1729 - Scheve

56 HB 1759, HCA 1 - Wiggins

57 HCS HB 942 - Long

58 HCS HB 1771 - Stoll

59 HCS HB 1774 - Lakin

60 HB 1922 - Berkstresser

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

3 HCS HB 1674, HS#2, as amended, pending, - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1124 - Days

3 HS HB 1796 - Harlan

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR THIRD READING

1 HCS SS SCS SB 781, HS, a.a., pending - Stoll

2 HCS SB 787 - Riback Wilson

3 HCS SB 615 - Treadway

4 HCS SB 827 - Rizzo

5 SB 743 - Hoppe

6 HCS SCS SB 614, 696, 906, 530, 912 & 914 - May (108)

7 HCS SB 680 - May (108)

8 HCS SB 936 - Bray

9 SCS SB 561, HCA 1 - Boucher

10 HCS SS SCS SB 583 & 645 - Thomason (163)

11 HCS SB 619 - Stoll

12 HCS SB 674 - Riback Wilson

13 HCS SS SB 792 - Liese

14 HCS SCS SB 922 - Luetkenhaus

15 HCS SCS SB 659 - Crump

16 HCS SS SCS SB 651 - Dougherty

17 HCS SB 629 - Shelton (57)

18 HCS SS SCS SB 596 - Leake

19 HCS SS SB 478 - Crump

20 HCS SS SCS SB 852 & 913 - Wannenmacher

21 SB 650 - Kelly (27)

22 HCS SCS SB 762 - McLuckie

23 HCS SS SCS SB 627, E.C. - Mays (50)

24 SB 925, E.C. - O'Toole

25 HCS SS SCS SB 754 - Carter

26 HCS SCS SB 813 & 864 - Thomason (163)

27 HCS SCS SB 532, 806 & 633, (Budget Fiscal 5-10-98) - Hosmer

28 SB 709, (Budget Fiscal 5-10-98) - Days

29 SB 588, (Budget Fiscal 5-10-98) - Fritts

30 HCS SCS SB 477 - McBride

31 HCS SB 734, E.C. - Smith

32 HCS SS SB 657, (Budget Fiscal 5-10-98) - O'Toole

33 HCS SCS SB 522, E.C. - Lakin

34 HCS SCS SB 625 - Hoppe

35 HCS SB 641, (Budget Fiscal 5-10-98) - Farnen

36 HCS SB 773, (Budget Fiscal 5-10-98) - Harlan

37 HCS SS SB 518 - Thomason (163)

38 HCS SB 800 - Hoppe

39 SCS SB 571 - Kelly (27)

40 HCS SB 745, (Budget Fiscal 5-10-98) - Farnen

41 HCS SCS SB 613, E.C. - Hoppe

42 HCS SB 689 - Riback Wilson

43 SCS SB 523, HCAs 1 & 2, E.C. - Lakin

44 HCS SCS SB 610 & 835 - Gaskill

45 SB 927 - Hosmer

46 SB 756 - McClelland

47 SCS SB 849 - Skaggs

48 HCS SB 908 - Gibbons

49 HCS SB 525 - Thomason (163)

50 SB 566 - Mays (50)

SENATE BILLS FOR THIRD READING - FEDERAL MANDATE

1 HCS SS SB 910 - Dougherty

2 HCS SS SCS SB 771 & 687, E.C. - Hartzler (124)

HOUSE BILLS WITH SENATE AMENDMENTS

1 SCS HB 1859 - Thomason (163)

2 SCS HB 1907 - Lakin

3 SS#2 HJR39 - Scheve

BILLS CARRYING REQUEST MESSAGES

1 SB 945, HA 1 (Req. House recede/grant conf.) - Thomason (163)

2 HS HCS SB 487, a.a. (Req. House recede/grant conf.) - Auer

3 HS SS#2 SCS SB 632, a.a. (House refuse to grant conf./req. Sen. to take up & pass bill) - Lakin

4 SCS HB 1272, (Req. Sen. recede/grant conf.) - Holand

5 SCS HB 1683, a.a. (Req. Sen. recede/grant conf.) - Fitzwater

6 HB 1301, SCA 1 (Req. Sen. recede/grant conf./ allow conferees to exceed diff.) - Campbell

7 HCS HB 1189, SCA 1 & SA 1 (Req Sen. recede on SA 1/grant conf.) - Liese

BILLS IN CONFERENCE

1 HCS SB 809 - Hoppe

2 CCR HCS SB 883, as amended - Koller

3 HCS SB 739 - Stoll

4 SCS HS HCS HB 1161, as amended, E.C. - Wiggins

5 SS SCS HS HCS HB 1095, as amended - Smith

6 HS#2 HCS SS SCS SB 675, 483, 490 & 564, as amended - Scheve

7 CCR#2 HCS SB 778 - Hoppe

8 SCS HS HCS HB 1636, as amended - Hoppe

9 SCS HB 1918 - Lograsso

HOUSE CONCURRENT RESOLUTIONS

1 HCR 27, (4-29-98, pg. 1361) - Thomason (163)

2 HCR 17, (5-6-98, pgs. 1548 & 1549) - Carter

SENATE CONCURRENT RESOLUTIONS

1 SCR 31 -

2 SCR 36 - Williams (121)

3 HCS SCS SCR 37 - Harlan

4 SCR 43 -

5 SCR 39 -

HOUSE RESOLUTIONS

1 HR 646, (4-15-98, pg. 1064) - Scheve

2 HR 684, (4-29-98, pg. 1362) - Gratz

3 HR 885, (4-29-98, pgs. 1362 & 1363) - Green

4 HR 1246, (5-6-98, pg. 1551) - Vogel

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House Journal

Second Regular Session, 89th General Assembly

SEVENTY-FIRST DAY, Monday, May 11, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Holy God, as a body, the representatives of this House have worked hard this session to achieve what may have, at times, seemed impossible. At times, what seemed simple became difficult; what seemed insurmountable passed along without issue. In this final week, let each one here be assured that they have done their best; that they have given the attention necessary to the things that needed doing.

In this country of so many wonderful freedoms, allow these representatives freedom from undue criticism, freedom from unnecessary harassment, freedom from biased media scrutiny and let them finish out this week with a mutual respect for one another even in the midst of their political differences.

Be present with President Clinton as he contends with issues of thwarted peace negotiations; be with Governor Carnahan as he faces the decisions he must make as he looks at the work of this Assembly. And be with each of us, guide us, and let us be true and faithful servants to this state and to You. O Lord, hear our prayers. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Cassie Driskel, Tabitha Pitts, Eric Hinkle, Curtiss Davis, Zachary Tyrl and Jonathan Bruntrager.

The Journal of the sixty-ninth day was approved as corrected.

The Journal of the seventieth day was approved as printed.

RESOLUTIONS

Representative Relford offered House Resolution No. 1365 through House Resolution No. 1367, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 1368, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Donovan offered House Resolution No. 1369, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution No. 1370, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Nordwald offered House Resolution No. 1371, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Alter offered House Resolution No. 1372, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hendrickson offered House Resolution No. 1373, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crawford offered House Resolution No. 1374 and House Resolution No. 1375, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 1376, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Miller offered House Resolution No. 1377, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pryor offered House Resolution No. 1378, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 1379, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution No. 1380 through House Resolution No. 1382, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 1383, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 1384 through House Resolution No. 1386, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hall offered House Resolution No. 1387, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (159) offered House Resolution No. 1388 through House Resolution No. 1394, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Naeger offered House Resolution No. 1395, which was referred to the Committee on Miscellaneous Bills and Resolutions.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SBs 771 & 687 - Budget (Fiscal Note)

COMMITTEE REPORT

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SB 773 (Fiscal Note)**, Begs leave to report it has been furnished a corrected fiscal note and does not require Budget Committee fiscal review.

HOUSE CONCURRENT RESOLUTIONS

HCR 27, relating to the Committee on Legislative Research, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **HCR 27** was adopted.

HCR 17, relating to discrimination against women, was taken up by Representative Carter.

Representative Hartzler (124) offered **HS HCR 17**.

HOUSE SUBSTITUTE

FOR

HOUSE CONCURRENT RESOLUTION NO. 17

RESOLUTION RELATING TO RATIFICATION OF

THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF

ALL FORMS OF DISCRIMINATION AGAINST WOMEN

WHEREAS, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women was adopted by the United Nations General Assembly on December 18, 1979, became an international treaty on September 3, 1981, and by January of 1988, 161 nations including all members of the United Nations in the industrialized world, except the United States, have ratified or acceded to the Convention's provisions; and

WHEREAS, if the United States adopts this treaty, it could subject our laws to monitoring by an international committee dominated by Communist and Third World countries which have often shown little respect for the women of their own countries; and

WHEREAS, if this treaty is adopted, women could neither be exempted from military draft registration or conscription nor excluded from combat duty positions; and

WHEREAS, adoption of this treaty could violate our Constitutional protection of separation of church and state, because Article 1 of the treaty makes clear that the treaty purports to control "private organizations and even interpersonal relationships" and it will "reach into areas that are not regulated by the federal government"; and Article 2, Section (e) calls into question the issue of "membership in private clubs or organizations," and warns that "appropriate corrective legislation or reservations may be necessary in these areas"; the treaty makes no exception for religious organizations, churches or church schools; and Section (f) specifically governs "customs and practices." Specifically, under this treaty the Roman Catholic Church, the Mormon Church and other religions would be compelled to admit women into all religious offices, in contradiction to their religious creeds; and

WHEREAS, Article 11(d) of the treaty would require Congress to legislate Comparable Worth (equal pay for "work of equal value" -- not equal pay for equal work.) All countries that relay on government-set wages have lower wages and lower standards of living than the United States; and

WHEREAS, the treaty would give the federal government additional duties and coincidentally additional power. Article 10 would make it a federal responsibility to ensure the "elimination of any stereo typed concept of the roles of men and women at all levels and in all forms of education" calling for the federal government -- not the states -- to administer schools and revise textbooks; Article 16 would require the federal government to take over the entire area of family law, including marriage, divorce, child custody and property; and Article 24 requires the "adoption of all necessary measures at the national level."; and

WHEREAS, the treaty is extremely vague and many citizens already have a great concern about the power of the United Nations over the sovereignty of the United States. The United Nations' Treaty adopted at the Convention on the Elimination of All Forms of Discrimination Against Women would further expand the United Nations' power over the United States; and

WHEREAS, President Bill Clinton and Secretary of State Madeleine Albright have placed this treaty, the United Nations Convention on the Elimination of all Forms of Discrimination Against Women, in the highest category of

priority in order to accelerate the treaty's passage through the United States Senate Foreign Relations Committee and the full United States Senate, with the goal of United States ratification:

NOW, THEREFORE, BE IT RESOLVED that this legislative body exhort the United States Senate Foreign Relations Committee to not pass this treaty out of Committee; and

BE IT FURTHER RESOLVED that this legislative body strongly urge the Senate of the United States to protect and defend the fundamental rights of all American men and women; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Bill Clinton, Secretary of State Madeleine Albright, President of the Senate Al Gore, Chair of the Senate Foreign Relations Committee, Jesse Helms and all members of the Missouri Congressional Delegation.

HCR 17, with HS, pending, was laid over.

SENATE CONCURRENT RESOLUTIONS

SCR 31, relating to administrative rules, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **SCR 31** was adopted.

SCR 36, relating to state information center, was taken up by Representative Williams (121).

On motion of Representative Williams (121), **SCR 36** was adopted.

SCR 43, relating to the Committee on Legislative Research, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **SCR 43** was adopted.

SCR 39, relating to interim committees of the General Assembly, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **SCR 39** was adopted.

HOUSE RESOLUTIONS

HR 646, relating to use of chamber, was taken up by Representative Scheve.

On motion of Representative Scheve, **HR 646** was adopted.

HR 684, relating to use of chamber, was taken up by Representative Vogel.

On motion of Representative Vogel, **HR 684** was adopted.

HR 1246, relating to use of chamber, was taken up by Representative Vogel.

On motion of Representative Vogel, **HR 1246** was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 761**, and has taken up and passed **HCS SB 761**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 883, as amended**, and has taken up and passed **CCS HCS SB 883**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1928**, entitled:

An act to repeal section 701.031, RSMo 1994, relating to disposal of sewage, and to enact in lieu thereof one new section relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND House Bill No. 1928, Page 1, Section 701.031, Line 8, by striking the word "six" and inserting in lieu thereof the following: "**three**".

In which the concurrence of the House is respectfully requested.

BILL IN CONFERENCE

CCR HCS SB 883, as amended, relating to transportation oversight, was taken up by Representative Koller.

On motion of Representative Koller, **CCR HCS SB 883, as amended**, was adopted by the following vote:

AYES: 152

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Bland Boatright Bonner Boucher Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 002

Auer Sheldon 104

PRESENT: 000

ABSENT WITH LEAVE: 008

Bennett Bray 84 Copeland Donovan Hickey

Kelly 27 Shear Wiggins

VACANCIES: 001

On motion of Representative Koller, **CCS HCS SB 883,** was truly agreed to and finally passed by the following vote:

AYES: 152

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 DeMarce Dolan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Johnson Kasten Kauffman Kelley 47 Kennedy
Kissell Klindt Koller Kreider Lakin
Lawson Leake Legan Levin Liese
Linton Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murphy
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wannenmacher Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 001

Auer

PRESENT: 000

ABSENT WITH LEAVE: 009

Bray 84 Days Donovan Heckemeyer Howerton
Kelly 27 Shear Summers Wiggins

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Bartlett, title to the bill was agreed to.

Representative Dougherty moved that the vote by which the bill passed be reconsidered.

Representative Farnen moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw assumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1859, relating to boll weevil eradication, was taken up by Representative Thomason (163)

On motion of Representative Thomason (163), **SCS HB 1859** was adopted by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Levin
Liese Linton Lograsso Long Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murphy
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wannenmacher Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Crump Donovan Franklin Harlan Hickey

Legan Loudon Pryor Shear Wiggins

VACANCIES: 001

On motion of Representative Thomason (163), **SCS HB 1859** was truly agreed to and finally passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Clayton Donovan Hickey Scott Shear
Wiggins

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1907, relating to employer background checks, was taken up by Representative Lakin.

On motion of Representative Lakin, **SCS HB 1907** was adopted by the following vote:

AYES: 141

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bennett Berkstresser
Bland Boatright Bonner Boucher Broach
Burton Campbell Carter Chrismer Cierpiot
Clayton Cooper Copeland Crawford Crump
Daniel 42 Daniels 41 Davis 122 Days DeMarce
Dolan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foster Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Griesheimer Gross Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schwab Scott Secrest Seigfreid Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thompson 37
Thompson 72 Townley Treadway Van Zandt Vogel
Wannenmacher Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 012

Bartlett Bauer Bray 84 Davis 63 Ford
Green Gunn Murray Reynolds Schilling
Sheldon 104 Troupe

PRESENT: 000

ABSENT WITH LEAVE: 009

Champion Donovan Foley Franklin Hickey
Kelly 27 Shear Thomason 163 Wiggins

VACANCIES: 001

On motion of Representative Lakin, **SCS HB 1907** was truly agreed to and finally passed by the following vote:

AYES: 140

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bennett Berkstresser
Bland Boatright Bonner Boucher Broach

Burton Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 DeMarce
Dolan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foster Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Griesheimer Gross Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hilgemann Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kelley 47 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Naeger Nordwald
O'Connor Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schwab Scott
Secrest Seigfreid Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thompson 37 Thompson 72 Townley
Treadway Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 014

Bartlett Bauer Bray 84 Davis 63 Foley
Ford Green Gunn Murray O'Toole
Reynolds Schilling Sheldon 104 Troupe

PRESENT: 000

ABSENT WITH LEAVE: 008

Days Donovan Franklin Hickey Kauffman
Kelly 27 Shear Thomason 163

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Kennedy, title to the bill was agreed to.

Representative Lawson moved that the vote by which the bill passed be reconsidered.

Representative O'Connor moved that motion lay on the table.

The latter motion prevailed.

Representative Dougherty assumed the Chair.

SS#2 HJR 39, relating to gaming, was taken up by Representative Scheve.

On motion of Representative Scheve, **SS#2 HJR 39** was adopted by the following vote:

AYES: 101

Auer Backer Barry 100 Bartlett Bauer
Bennett Bland Bonner Boucher Bray 84
Broach Campbell Carter Cooper Copeland
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Farnen Fitzwater Foley Ford Franklin
Fritts Froelker Gibbons Graham 106 Graham 24
Gratz Griesheimer Gunn Hagan-Harrell Harlan
Hartzler 123 Heckemeyer Hickey Hilgemann Hollingsworth
Hoppe Hosmer Johnson Kasten Kauffman
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Liese Luetkenhaus
May 108 Mays 50 McBride McLuckie Merideth
Monaco Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Pouche
Pryor Ransdall Relford Reynolds Rizzo
Scheve Schilling Schwab Seigfreid Sheldon 104
Shelton 57 Shields Smith Stoll Stroker
Thomason 163 Thompson 37 Thompson 72 Treadway Troupe
Van Zandt Wiggins Williams 121 Williams 159 Wilson
Wooten

NOES: 054

Akin Alter Ballard Barnett Bartelsmeyer
Berkstresser Boatright Burton Champion Chrismer
Clayton Crawford Edwards-Pavia Elliott Enz

Evans Foster Gaskill Gaston Gross
Hall Hartzler 124 Hegeman Hendrickson Hohulin
Holand Howerton Kelley 47 Legan Levin
Linton Lograsso Long Loudon Marble
McClelland Miller Murphy Patek Purgason
Reinhart Richardson Ridgeway Robirds Ross
Sallee Scott Secrest Skaggs Steen
Summers Surface Townley Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot Green Kelly 27 Shear Stokan
Vogel Mr. Speaker

VACANCIES: 001

On motion of Representative Scheve, **SS#2 HJR 39** was truly agreed to and finally passed by the following vote:

AYES: 102

Auer Backer Barry 100 Bartlett Bauer
Bennett Bland Bonner Boucher Bray 84
Broach Campbell Carter Cooper Copeland
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Farnen Fitzwater Foley Ford Franklin
Fritts Froelker Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gunn Hagan-Harrell
Harlan Heckemeyer Hickey Hilgemann Hollingsworth
Hoppe Hosmer Johnson Kasten Kennedy
Kissell Koller Kreider Lakin Lawson
Leake Liese Luetkenhaus May 108 Mays 50
McBride McLuckie Merideth Monaco Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Ransdall Relford Reynolds Richardson Rizzo
Scheve Schilling Schwab Seigfreid Sheldon 104
Shelton 57 Shields Skaggs Smith Stoll
Stroker Thomason 163 Thompson 37 Thompson 72 Treadway
Troupe Van Zandt Wiggins Williams 121 Williams 159

Wilson Wooten

NOES: 054

Akin Alter Ballard Barnett Bartelsmeyer

Berkstresser Boatright Burton Champion Chrismer

Clayton Crawford Edwards-Pavia Elliott Enz

Evans Foster Gaskill Gaston Gross

Hall Hartzler 123 Hartzler 124 Hegeman Hendrickson

Hohulin Holand Howerton Kauffman Kelley 47

Klindt Legan Levin Linton Lograsso

Long Loudon Marble McClelland Miller

Murphy Purgason Reinhart Ridgeway Robirds

Ross Sallee Scott Secrest Steen

Summers Surface Townley Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 006

Cierpiot Kelly 27 Shear Stokan Vogel

Mr. Speaker

VACANCIES: 001

Representative Dougherty declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Ransdall moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

BILLS CARRYING REQUEST MESSAGES

SB 945, with House Amendment No. 1, relating to boll weevil eradication, was taken up by Representative Thomason (163).

Representative Thomason (163) moved that the House refuse to recede from its position on **House Amendment No. 1 to SB 945** and grant the Senate a conference.

Which motion was adopted.

HS HCS SB 487, as amended, relating to towing, was taken up by Representative Auer.

Representative Auer moved that the House refuse to recede from its position on **HS HCS SB 487, as amended**, and grant the Senate a conference.

Which motion was adopted.

SENATE CONCURRENT RESOLUTION

HCS SCS SCR 37, relating to joint interim committee on aging, was taken up by Representative Harlan.

On motion of Representative Harlan, **HCS SCS SCR 37** was adopted.

THIRD READING OF SENATE BILL - FEDERAL MANDATE

HCS SS SB 910, relating to child support, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HCS SS SB 910** was adopted.

On motion of Representative Dougherty, **HCS SS SB 910** was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hilgemann Hohulin Holand

Hollingsworth Hoppe Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Gunn Hickey Hosmer Secrest Shear

Steen Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative Ladd Stokan moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1052**, and has taken up and passed **CCS SCS HB 1052**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1272** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HBs 1681 & 1342, as amended**, and has taken up and passed **CCS SCS HCS HBs 1681 & 1342**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1683, as amended,** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken

up and adopted the Conference Committee Report on **HCS SB 739**, and has taken up and passed **CCS HCS SB 739**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SB 945, as amended**: Senators Howard, Caskey, Lybyer, Childers and Sims.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SB 945: Representatives Thomason (163), Williams (159), Howerton, Graham (106) and Leake

HS HCS SB 487: Representatives Auer, Fritts, O'Connor, Legan and Burton

SCS HB 1683: Representatives Fitzwater, Days, Relford, McClelland and Pryor

SCS HB 1272: Representatives Holand, Wooten, Stroker, Hosmer and Schilling

THIRD READING OF SENATE BILL

HCS SS SCS SB 781, with HS, as amended, pending, relating to desegregation and related education reform, was again taken up by Representative Stoll.

Representative Auer offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 1, In the Title, Line 3 of said page, by deleting the number "162.581,"; and

Further amend said bill, Page 1, In the Title, Line 8 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-six"; and

Further amend said bill, Page 1, Section A, Line 14 of said page, by deleting the number "162.581,"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "twenty-three" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 2, Section A, Line 2 of said page, by deleting the number "162.581,"; and

Further amend said bill, Pages 26 and 27, Section 162.581, by deleting all of said section; and

Further amend said bill, Page 27, Section 162.601, Line 13 of said page, by deleting the word "**seven**" and inserting in lieu thereof the word "**nine**"; and

Further amend said bill, Page 27, Section 162.601, Lines 18 to 22, by deleting all of said lines and inserting in lieu thereof the following: "**2. Only one board member shall be elected in 1999.**"; and

Further amend said bill, Page 28, Section 162.601, Lines 1 to 4 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"**3.** There shall be elected [at each municipal election in"; and

Further amend said bill, Page 28, Section 162.601, Lines 10 to 22 of said page, by deleting all of said lines.

Speaker Pro Tem Kreider resumed the Chair.

On motion of Representative Auer, House Amendment No. 9 was adopted by the following vote:

AYES: 088

Akin Alter Auer Ballard Barnett
Barry 100 Bartelsmeyer Berkstresser Broach Burton
Champion Chrismer Cooper Copeland Crawford
Crump Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foster
Franklin Froelker Gaston Gibbons Graham 106
Gratz Green Griesheimer Hartzler 123 Hartzler 124
Hegeman Hendrickson Hilgemann Hohulin Howerton
Kasten Kauffman Kennedy Kissell Klindt
Lawson Leake Legan Levin Linton
Long Loudon Marble May 108 McBride
McClelland Miller Naeger Nordwald O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Ransdall Reinhart Relford Reynolds
Richardson Rizzo Robirds Sallee Scheve
Schwab Scott Secrest Seigfreid Shields
Steen Summers Surface Treadway Vogel
Wannenmacher Wiggins Wooten

NOES: 067

Backer Bartlett Bauer Bennett Bland
Boatright Bonner Boucher Bray 84 Campbell
Carter Cierpiot Clayton Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Ford Fritts Gaskill Graham 24 Gross
Gunn Hagan-Harrell Hall Harlan Heckemeyer
Hollingsworth Johnson Kelley 47 Kelly 27 Koller
Kreider Lakin Liese Lograsso Luetkenhaus
Mays 50 McLuckie Merideth Monaco Murphy
Murray O'Connor Purgason Ridgeway Ross
Schilling Sheldon 104 Shelton 57 Smith Stokan
Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Townley Troupe Van Zandt Williams 121 Williams 159

Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Foley Hickey Holand Hoppe Hosmer

Shear Skaggs

VACANCIES: 001

Representative Relford offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 73, Section 163.011, Line 16 of said page, by deleting the opening bracket "["; and

Further amend said bill, Page 73, Section 163.011, Line 17 of said page, by deleting "] and**, for fiscal year 1999,**" and inserting in lieu thereof the word "and"; and

Further amend said bill, Page 73, Section 163.011, Lines 91 to 93, by deleting all of said lines and inserting in lieu thereof the following: "hundred and sixty-seven thousandths. The"; and

Further amend said bill, Page 74, Section 163.011, Line 1 of said page, by deleting all of said line; and

Further amend said bill, Page 77, Section 163.011, Lines 18 to 22 of said page, by deleting all of said lines; and

Further amend said bill, Page 78, Section 163.011, Line 1 of said page, by deleting the number "**(15)**" and inserting in lieu thereof the number "**(14)**"; and

Further amend said bill, Page 78, Section 163.011, Line 3 of said page, by deleting the number "**(16)**" and inserting in lieu thereof the number "**(15)**".

On motion of Representative Relford, House Amendment No. 10 was adopted.

Speaker Gaw resumed the Chair.

Representative Auer offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 1, In the Title, Line 8 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 60, Section B, Line 3 of said page, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 60, Section B, Line 4 of said page, by deleting "and 163.031" and inserting in lieu thereof the following: ", 163.031 and 4"; and

Further amend said bill, Page 91, Section 163.031, Line 15 of said page, by inserting after all of said line the following:

"**Section 4. 1. By July 1, 1999, there shall be established the "Transitional District Capital Projects Trust Fund", in an amount equal to two hundred twenty-seven million six hundred nineteen thousand eight hundred twenty-four dollars adjusted for inflation from March 1, 1996, to July 1, 1999. The moneys in the transitional school district in a city not within a county, in the discretion of the governing board of such districts, to fund capital improvements in the district to accommodate any increase in pupil enrollment, should phase-out occur of students participating in the urban voluntary school transfer program due to a settlement and final judgment of said case described under section C of this act.**

2. Beginning with the 1999-2000 school year, and for each year thereafter, the governing board of each district described in subsection 1 shall determine the number of additional pupil enrollment from the previous year, if any, and the amount of funds necessary to make capital improvements to accommodate this increase. On or before October thirty-first of each year, the governing body of such districts shall send a notice to the treasurer of the state of Missouri of the amount of funds necessary to provide the capital needs of the district and request payment of this amount from the transitional district capital projects trust fund.

3. On or before December thirty-first of each year, the treasurer of the state of Missouri shall pay the funds requested pursuant to subsection 2 of this section to the governing board of the district.".

Representative Auer moved that House Amendment No. 11 be adopted.

Which motion was defeated by the following vote:

AYES: 036

Auer Bartlett Bauer Carter Chrismer

Crump Daniel 42 Daniels 41 Davis 63 Days

Dougherty Foley Green Gunn Hagan-Harrell

Harlan Hickey Hilgemann Kennedy Kreider

Levin Liese May 108 Murphy Murray

O'Connor O'Toole Reynolds Sheldon 104 Shelton 57

Skaggs Stroker Thompson 37 Thompson 72 Troupe

Wilson

NOES: 114

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bennett Berkstresser Boatright

Bonner Boucher Bray 84 Broach Burton

Campbell Champion Cierpiot Clayton Cooper

Crawford Davis 122 DeMarce Dolan Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Ford Foster Franklin Fritts Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Griesheimer Gross Hall Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hohulin Holand

Hollingsworth Hoppe Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kissell Klindt

Koller Lakin Lawson Leake Legan

Linton Long Luetkenhaus Marble Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Naeger Nordwald Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Seigfreid Shields Smith Stokan

Stoll Summers Surface Thomason 163 Townley

Treadway Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wooten Mr. Speaker

PRESENT: 001

Bland

ABSENT WITH LEAVE: 011

Copeland Donovan Froelker Hosmer Lograsso

Loudon Ostmann Relford Secrest Shear

Steen

VACANCIES: 001

Representative Bauer offered House Amendment No. 12.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 60, Section 2, Line 1 of said page by inserting immediately after all of said line the following:

"**Section 4. 1. The provisions of this section shall be known and may be cited as the "St. Louis Students' Bill of Rights".**

2. For the purposes of this section, "district" means a metropolitan school district, as defined in section 160.011, RSMo.

3. Each district shall reinstitute the basic kindergarten through eighth system of grade schools within the district.

4. Every child within the district of the appropriate age and appropriate aptitude for discipline and openness to instruction shall have the right to attend a basic kindergarten through eighth grade school.

5. Every child within the district shall have the right to attend such school closest to such child's home.

6. Every child within the district shall have the right to transfer to any other such school within the district.

7. The district shall have the right to transport children to relieve overcrowding. Transportation to relieve overcrowding shall be performed in such a manner as to fill in school seats in buildings that have surplus seats,

but shall not be permitted to displace any child who has elected to attend the school located closest to such child's home.

8. The per pupil expenditure of funds for the cost of education shall be equalized to the greatest extent possible, with appropriate variation allowable in order to accommodate the special remedial needs of children who test below grade level and the needs of gifted children.

9. Schools for gifted children with accelerated academic programs shall be established and evenly distributed across the district. The district shall have the right to transport children to and from schools for the gifted. Children who attend schools for the gifted shall have the right to attend such school which is located closest to such child's home and shall have the right to transfer to or attend any other school for the gifted within the district.

10. The provisions of the "St. Louis Students' Bill of Rights" shall only become effective upon approval by a majority of the voters of the City of St. Louis voting thereon. Such election shall be held in the City of St. Louis on the first general election date after the effective date of this section.

11. The proposal shall be submitted as follows:

Shall the St. Louis School District reinstitute the basic kindergarten through eighth grade neighborhood school system within the district and be required to permit students to attend the school closest to their home?

[ ] YES [ ] NO

The St. Louis Students' Bill of Rights shall not be in effect until the completion of the case of "Liddell v. Board of Education of the City of St. Louis".".

On motion of Representative Bauer, House Amendment No. 12 was adopted.

Representative Gross offered House Amendment No. 13.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 20, Section 160.542, Line 13 of said page, by inserting immediately after all of said line the following:

161.527. 1. If a school district**, which has an assessed valuation per eligible pupil equal to or less than the state average assessed valuation per eligible pupil,** has transmitted by July fifteenth to the department of elementary and secondary education the report required by section 162.821, RSMo, and such school district has received a notice pursuant to section 161.525, such school district is not required to reduce its operating levy pursuant to section 164.013, RSMo, when the district next determines its tax rate in accordance with the provisions of section 164.011, RSMo. **The state average assessed valuation per eligible pupil used in this section shall be the state average used to calculate the guaranteed tax base for the state aid formula for the year the district's tax is not lowered. The district assessed valuation shall be the assessed valuation used in the calculation of the state aid formula for the year the district's tax is not lowered.** However, if a school district does not reduce its operating levy as permitted in this subsection, the school district shall not in the current and next school year increase:

(1) Its administrative costs; or

(2) The aggregate amount of funds paid for salaries of employees of the district.

2. The restrictions on increasing administrative costs and funds paid for salaries as provided for in subsection 1 of this section shall continue in the district for each subsequent school year until combined balances in the teachers' and incidental funds at the end of a fiscal year are equal to or exceed three percent of the amount expended from the funds during the previous fiscal year as determined by the department of elementary and secondary education. Such restrictions provided for in subsection 1 of this section shall not apply to increased expenditures of the district necessary to maintain health insurance coverage for district employees at the same level that may have been provided by the district prior to implementation of the restrictions. Further, the restrictions shall not apply to increased expenditures of the district necessary to meet the district's share of contributions for employees who are members of the public school retirement system of Missouri, the public school retirement system of the school district of Kansas City, or the public school retirement system of the city of St. Louis.

3. The exemption from reduction authorized by subsection 1 of this section shall be limited to two tax years, at which time the district may submit to the voters of the district the question of whether to continue such exemption."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Gross, House Amendment No. 13 was adopted.

Representative McClelland offered House Amendment No. 14.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 65, Section 162.1060.6, Line 21, by replacing "." with "," and adding the following words: "except that a special school district containing the district where the child is attending school shall be paid for all unreimbursed expenses for special education services provided to students with disabilities.".

On motion of Representative McClelland, House Amendment No. 14 was adopted.

Representative Auer offered House Amendment No. 15.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 22, Section 162.081, Line 11 of said page, by inserting immediately after the word "**status**" the following: "**. The plan must be developed within six months of the classification as unaccredited and shall be submitted to the voters at the next municipal election. If a majority of the voters approve the plan, the state board of education shall cooperate with the local board to implement the plan. The plan shall have two years to be effective before the provisions of subsection 3 of the section apply to the district**".

On motion of Representative Auer, House Amendment No. 15 was adopted.

Representative Hartzler (124) offered House Amendment No. 16.

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 8, Section 160.011, Line 1, by inserting immediately after all of said line the following:

"160.526. 1. In establishing the academic standards authorized by subsection 1 of section 160.514 and the statewide assessment system authorized by subsection 1 of section 160.518, the state board of education shall consider the work that has been done by other states, recognized regional and national experts, professional education discipline-based associations and other professional education associations. Further, in establishing the academic standards and statewide assessment system, the state board of education shall adopt the work that has been done by consortia of other states and, subject to appropriations, may contract with such consortia to implement the provisions of sections 160.514 and 160.518.

2. The state board of education shall, by contract enlist the assistance of such national experts, as approved by the commission established pursuant to section 160.510, to receive reports, advice and counsel on a regular basis pertaining to the validity and reliability of the statewide assessment system. The reports from such experts shall be received by the commission, which shall make a final determination concerning the reliability and validity of the statewide assessment system. Within six months prior to implementation of the statewide assessment system, the commissioner of education shall inform the president pro tempore of the senate and the speaker of the house about the procedures to implement the assessment system, including a report related to the reliability and validity of the assessment instruments, and the general assembly may, within the next [thirty legislative days] **two regular legislative sessions**, veto such implementation by concurrent resolution adopted by majority vote of both the senate and the house of representatives.

3. The commissioner of education shall establish a procedure for the state board of education to regularly receive advice and counsel from professional educators at all levels in the state, district boards of education, parents, representatives from business and industry, and labor and community leaders pertaining to the implementation of sections 160.514 and 160.518. The procedure shall include, at a minimum, the appointment

of ad hoc committees and shall be in addition to the advice and counsel obtained from the commission pursuant to section 160.510."; and

Further amend the title and enacting clause accordingly.

Representative Monaco raised a point of order that House Amendment No. 16 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Hartzler (124), House Amendment No. 16 was adopted.

Representative McClelland offered House Amendment No. 17.

House Amendment No. 17

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 1, In the Title, Line 5, by deleting the word "and" and inserting in lieu thereof a comma ","; and

Further amend said bill, Page 1, In the Title, Line 6, by inserting after the number "166.275" the following: " and 170.250"; and

Further amend said bill, Page 1, In the Title, Line 8, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 16, by deleting the word and number "and 166.275" and inserting in lieu thereof the following: ", 166.275 and 170.250"; and

Further amend said bill, Page 1, Section A, Line 17, by deleting the word "twenty-three" and inserting in lieu thereof the word "twenty-four"; and

Further amend said bill, Page 2, Section A, Line 4, by inserting after the number "168.231," the number "170.250,"; and

Further amend said bill, Page 58, Section 168.231, Line 9, by inserting after all of said line the following:

"170.250. 1. The "Video Instructional Development and Educational Opportunity Program" is established to encourage all educational institutions in Missouri to supplement educational opportunities through telecommunications technology and satellite broadcast instruction. The program established by this section is to be administered by the state board of education. The program shall consist of:

(1) Grants to local school districts, state-supported institutions of higher education and public television stations as defined in section 37.205, RSMo, for equipment and instruction;

(2) Instructional programs developed pursuant to this section and transmitted through the airwaves, over telephones lines, or by cable television which are available for all residents of this state without charge as defined in this section; and

(3) Instructional programs developed pursuant to this section which are available to any subscriber according to this section.

2. The "Video Instructional Development and Educational Opportunity Fund" is established in the state treasury and shall be administered by the department of elementary and secondary education at the direction of the state board of education. Moneys deposited in the fund shall consist of revenues generated from state sales and use tax revenues as provided in chapter 144, RSMo, on the rental of films, records or any type of sound or picture transcriptions as provided in subsection 3 of this section. Moneys in the fund shall be used solely for purposes established by this section, except that the department of revenue shall retain no more than one percent of sales tax revenues collected for its administrative costs and all administrative costs of this program incurred by the department of elementary and secondary education shall be paid from this fund, which costs

shall not exceed two percent. The administrative fees of the department of revenue and the department of elementary and secondary education shall be determined annually in the appropriation process. Any unexpended balance in the fund at the end of a fiscal year shall be exempt from the provisions of section 33.080, RSMo, relating to the transfer of unexpended balances to the general revenue fund.

3. Until December 31, 1994, the commissioner of administration shall annually estimate and furnish to the director of the department of revenue the appropriate amount of state tax revenues collected pursuant to chapter 144, RSMo, which are directly attributable to the rental of films, records or any type of sound or picture transcriptions. However, the estimate shall only include state sales and use tax revenues collected pursuant to chapter 144, RSMo, which are normally deposited in the state general revenue fund. The director of revenue shall transfer from state sales tax revenues an amount equal to the estimate to the fund provided in subsection 2 of this section. After December 31, 1994, the seller shall separately report on the return to the department of revenue, the aggregate amount of the gross receipts and the amount of tax collected on the rental of films, records or any type of sound or picture transcriptions. The director of revenue shall annually transfer state sales tax revenues collected on the rental of films, records or other type of sound or picture transcriptions, except revenues allocated to the school district trust fund pursuant to section 144.701, RSMo, to the video instructional development and educational opportunity fund. [Beginning January 1, 1999, such revenues shall be deposited to the credit of the general revenue fund.]

4. Within the department of elementary and secondary education, there is established an advisory committee which shall make recommendations to the state board of education on the grant program. The committee shall be composed of twenty-nine members. The members of the committee shall consist of one representative of public television stations as defined in section 37.205, RSMo, and one representative of the cable television industry appointed by the state board of education, one representative of public television stations as defined in section 37.205, RSMo, and one representative of the cable television industry appointed by the coordinating board for higher education, three classroom teachers from the elementary and secondary level appointed by the state board of education, three school administrators of elementary or secondary schools appointed by the state board of education, three members of school boards of local public school districts appointed by the state board of education, four representatives from public community college districts appointed by the coordinating board for higher education, four representatives of state-supported institutions of higher education other than community colleges appointed by the coordinating board for higher education, one representative of the regional consortium for education and technology appointed by the state board of education, one representative of the cooperating school districts of the St. Louis suburban area appointed by the state board of education, two representatives of the public appointed by the governor with the advice and consent of the senate, two members of the senate appointed by the senate president pro tem and two members of the house of representatives appointed by the speaker of the house of representatives. Of all members appointed by the state board of education, no more than four shall be from any one congressional district and of all the members appointed by the coordinating board for higher education, no more than four shall be from any one congressional district. The members of the committee shall serve three-year terms and shall not serve more than two terms consecutively. However, committee members having served two consecutive terms may be reappointed after leaving the committee for at least one three-year term. On August 28, 1992, the committee shall designate nine of its members to serve a term of one year, ten of its members to serve a term of two years, and ten of its members to serve a term of three years. All subsequent appointments shall be for three years. All members shall receive no compensation for their services, but shall be reimbursed for the actual and necessary expenses incurred while serving on the committee out of funds appropriated for that purpose. The committee shall meet at least quarterly and shall annually issue a report together with its recommendations to the state board of education and the general assembly.

5. The state board of education may cooperate with existing programs including the University of Missouri, other institutions of higher education, the cooperating school districts of the St. Louis suburban area, or its successor organization, the regional consortium for education and technology or its successor organization, and any statewide organization of public school governing boards and may delegate or contract for the performance or operation of the respective grant programs. The state board of education shall establish appropriate guidelines for participation by the aforementioned entities and by school districts, community college districts, and public television stations as defined in section 37.205, RSMo, in the grant program. Such guidelines shall include application procedures and shall establish policies for awarding grants in the event that more grant applications are received than are funds available to honor the applications in any fiscal year. In allocating funds to applicants, the state board of education may give due consideration to revenues available from all other sources. The state board of education shall accredit courses offered through this program at the elementary and secondary education level. The coordinating board for higher education shall approve courses taught at the postsecondary level.

6. In any fiscal year, moneys in the fund shall be used first to ensure that any and all school districts, community college districts and state institutions of higher education seeking aid under this program shall receive telecommunications equipment including computers and modems necessary to participate in the satellite learning process or instructional television video; second to provide the school districts, community college districts and state institutions of higher education with access to subjects at the advanced level or the remedial level or which are not taught in the schools of the district or the service area or campus, which subjects shall include courses in continuing education necessary for maintenance or renewal of licenses for all such licensed health care providers; and third to provide enrichment classes for all pupils of the district. However, the state board of education may set aside a portion of the funds to be used to contract with state-supported

institutions of higher education and public television stations as defined in section 37.205, RSMo, to develop instructional programs for grades kindergarten through twelve and for undergraduate and graduate coursework suitable for broadcast to the school districts, community college districts and state institutions of higher education as appropriate and to develop the capability to transmit programs cited in this section.

7. Participation by a local school district, a community college district or a state institution of higher education in the program established by this section shall be voluntary. No school district, community college district or state institution of higher education receiving funds under this program shall use those funds for any purpose other than that for which they were intended. Any school district, community college district or state institution of higher education shall be eligible to receive funds under this program regardless of its curriculum, local wealth or previous contractual arrangements to receive satellite broadcast instruction.

8. The office of administration on behalf of the state of Missouri may contract with institutions of higher education for the development or operation or both of state employee training programs transmitted by telecommunications technology.

9. Instructional programs developed pursuant to this section which are transmitted one way through the airwaves or by cable television shall be available to all residents of this state without charge or fee to the extent permitted by the Missouri Constitution. "Without charge or fee" shall not require the providing of equipment to transmit or receive telecommunications instruction or the providing of commercial cable television service. If the instructional program involves two-way, interactive communication between the instructor and the participant, the district or institution operating the program may prescribe academic prerequisites and limit the number of persons who may enroll in the specific program and give preference to residents of the district or institutional attendance area who are age twenty-one or younger but shall not discriminate against any resident on any other basis. A fee may be charged which shall be paid directly by the individual participant, but the fee shall be equal for all participants. If a subscription fee is charged by the originator of the program, the district or institution may pay the subscription fee for all participants from the grant pursuant to this section or from any other public or private fund legally authorized to be used for this purpose. Printed materials designed to facilitate or complement telecommunications programs or electronic reproductions thereof may be made available for loan by the school district, community college or institution of higher education through the public library system subject to the normal rules and regulations of the lending system and in such quantities as may be approved by the governing body of the district or institution. Instructional programs which involve two-way, interactive communication between the instructor and the participant shall also be available to any not for profit organization in this state which is exempt from taxation pursuant to subdivision (19) of subsection 2 of section 144.030, RSMo, upon payment of a reasonable subscription fee as determined by the state board of education. Such fees shall be set on a per-participant, per-course basis. The district or institution or the state board of education may make telecommunication equipment available for purchase at cost by or rental to any not for profit organization in this state which is exempt from taxation pursuant to subdivision (19) of subsection 2 of section 144.030, RSMo.

10. (1) In order to facilitate or complement telecommunications, local exchange telecommunications companies shall file with the public service commission tariffs for provision of local service to public school districts, and may file tariffs for provision of local service to accredited primary or secondary schools owned or operated by private entities and community college districts located within the local exchange telecommunications companies certified area. Such local exchange telecommunications companies shall seek commission authorization to provide local service at rates lower than those charged for business and residential service in effect when the tariff is filed, provided that the proposed rates may not be below the actual cost of providing the service. Upon approval of the public service commission, the rates shall not be classified as discriminatory for the purposes of chapter 392, RSMo.

(2) The public service commission may approve the tariff as submitted, or may, after hearing, modify the tariff in the public interest. The commission may promulgate rules to aid in the implementation of this section.".

Representative Monaco raised a point of order that House Amendment No. 17 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative McClelland, House Amendment No. 17 was adopted.

Representative Gratz offered House Amendment No. 18.

Representative Monaco raised a point of order that House Amendment No. 18 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Auer offered House Amendment No. 18.

House Amendment No. 18

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 28, Section 162.601, Line 8, by deleting the word "**four**" and replacing with the word "**three**".

On motion of Representative Auer, House Amendment No. 18 was adopted.

Representative Kelley (47) offered House Amendment No. 19.

House Amendment No. 19

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 60, Section 2, Line 1 of said page, by inserting after all of said page:

"**Section 4. The district equalized assessed valuation for the purposes of line 2 of subsection 6 of section 163.031 of the foundation formula shall be multiplied by .99 for the 1999-2000 school year and .98 for the 2000-01 school year and each school year thereafter.**

Section 5. Each hold-harmless school district identified by the department of elementary and secondary education each November shall receive additional state aid in the amount of one percent of such school district's current year's line 2 deduction pursuant to subsection 6 of section 163.031, RSMo, to be paid in November of each year starting with the 1999-2000 school year.".

Representative Kelley (47) moved that House Amendment No. 19 be adopted.

Which motion was defeated.

Representative Hegeman offered House Amendment No. 20.

House Amendment No. 20

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 60, Section 2, Line 1 of said page, by adding after all of said line, the following:

"**Section 4. For purposes of determining average daily attendance pursuant to section 163.011 RSMo., summer school attendance applies to the school year following the summer school term.**"; and

Further amend the title and enacting clause accordingly.

On motion of Representative Hegeman, House Amendment No. 20 was adopted.

Representative Naeger offered House Amendment No. 21.

House Amendment No. 21

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 72, Section 163.011, Line 8, by inserting immediately after the word "property." the following: "**The assessed valuation of property in an enterprise zone created pursuant to chapter 135, RSMo, prior to August 28, 1993, shall not be included in the calculation of equalized assessed valuation pursuant to this subdivision.**".

Representative Naeger moved that House Amendment No. 21 be adopted.

Which motion was defeated.

Representative Pryor offered House Amendment No. 22.

House Amendment No. 22

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 1, In the Title, Line 4 of said page, by deleting "and 168.221" and inserting in lieu thereof the following: ", 168.221 and 178.900"; and

Further amend said bill, Page 1, In the Title, Line 8 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by deleting "and 168.221" and inserting in lieu thereof the following: ", 168.221 and 178.900"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "twenty-three" and inserting in lieu thereof the word "twenty-four"; and

Further amend said bill, Page 2, Section A, Line 4 of said page, by inserting immediately after the number "168.231," the number "178.900,"; and

Further amend said bill, Page 58, Section 168.231, Line 9 of said page, by inserting after all of said line the following:

"178.900. For the purposes of sections 178.900 to 178.970 the following words mean:

(1) "Department", the department of elementary and secondary education;

(2) "Handicapped persons", a lower range educable or upper range trainable mentally retarded or other handicapped person sixteen years of age or over who has had school training and has a productive work capacity in a sheltered environment adapted to the abilities of the mentally retarded but whose limited capabilities make [him nonemployable] **the person unemployable** in competitive business and industry and unsuited for vocational rehabilitation training;

(3) "Sheltered workshop", an occupation-oriented facility operated by a not for profit corporation, which[, except for its staff,] employs [only] handicapped persons and has a minimum enrollment of at least fifteen employable handicapped persons;

(4) "Staff", employees of a sheltered workshop engaged in management, work procurement, **production,** purchasing, supervision, sales, bookkeeping, and secretarial and clerical functions.".

Representative Monaco raised a point of order that House Amendment No. 22 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Pryor, House Amendment No. 22 was adopted.

Representative Levin offered House Amendment No. 23.

House Amendment No. 23

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute

for Senate Bill No. 781, Page 37, Section 162.1100, Lines 5 & 7 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"**the district. The**";

And further amend said bill, section 162.1100, line 18 of said page by deleting the words "**or sales tax**";

And further amend said bill, section 163.011, page 75, line 5 of said page, by deleting the words "**or sales tax equivalent**".

Representative Patek offered House Substitute Amendment No. 1 for House Amendment

No. 23.

House Substitute Amendment No. 1

for

House Amendment No. 23

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 37, Section 162.1100.3, Lines 21 & 22, and page 38, line 1, by deleting all of said lines, and inserting in lieu thereof the following:

"**the district's voters. The board of the transitional district shall, unless**".

Representative Monaco raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 23 is not a true substitute amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Patek, House Substitute Amendment No. 1 for House Amendment No. 23 was adopted.

Representative Holand offered House Amendment No. 24.

House Amendment No. 24

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 1, In the Title, Line 8 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "twenty-three" and inserting in lieu thereof the word "twenty-four"; and

Further amend said bill, Page 2, Section A, Line 4 of said page, by deleting "and 2" and inserting in lieu thereof the following: ", 2 and 4"; and

Further amend said bill, Page 60, Section 2, Line 1 of said page, by inserting after all of said line the following:

"**Section 4. 1. Any school district with more than thirty thousand students shall establish a pilot program for a uniform dress policy. This shall include at least one-half of the elementary and middle schools within the district.**

2. Each school to which the policy applies may design, promote and modify the uniform dress policy for that school. The policy shall apply to staff, teachers and students.

3. No student shall be excluded from education for failure to wear a uniform by reason of financial hardship.

4. The district shall seek and coordinate community financial resources to assist students who cannot conform with the uniform policy due to financial hardship.

5. Students shall be exempted from the policy upon written request of the student's parent or legal guardian.

6. The school board shall vote to continue or remove the uniform policy after three years.

7. The provisions of this section shall be effective for the 1999-2000 school year and each school year thereafter.".

Representative Holand moved that House Amendment No. 24 be adopted.

Which motion was defeated.

Representative Thompson (37) offered House Amendment No. 25.

House Amendment No. 25

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 20, Section 161.220, Line 20 of said page by inserting immediately after the word "**recruitment,**" the following:

"**including the need for identifying African-American and other minority students, including males, who show potential or interest in becoming a teacher, recruiting such students as prospective teachers, and methods for providing financial aid to such students,**"

On motion of Representative Thompson (37), House Amendment No. 25 was adopted.

Representative Kelly (27) offered House Amendment No. 26.

House Amendment No. 26

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 75, Section 163.011, Line 3 of said page, by inserting immediately before the word "means" the following: "**for districts making transfers pursuant to subsection 4 of section 165.011, RSMo, based upon amounts multiplied by the guaranteed tax base, or making transfers pursuant to subsection 7 of section 165.011, RSMo, or making payments or expenditures related to obligations made pursuant to section 177.088, RSMo, or any combination of such transfers, payments or expenditures,**"; and further amend said page, line 7 of said page, by striking the word "and" and inserting in lieu thereof the following: "**, and, for other districts, means the sum of tax rates levied for incidental, teachers, debt service and capital projects funds plus the operating levy or sales tax equivalent pursuant to section 162.1100, RSMo, of any transitional school district containing the school district, with no more than eighteen cents of the sum levied in the debt service and capital projects funds. Any portion of the operating levy for school purposes levied in the debt service and capital projects funds in excess of a sum of ten cents must be authorized by a vote of the people, after August 28, 1998, approving an increase in the operating levy, or a full waiver of the rollback pursuant to section 164.013, RSMo, with a tax rate ceiling in excess of the minimum tax rate or an issuance of general obligation bond. The operating levy**"; and

Further amend said bill, page 78, section 163.011, line 18 of said page, by inserting after all of said line the following:

"163.021. 1. A school district shall receive state aid for its education program only if it:

(1) Provides for a minimum of one hundred seventy-four days and one thousand forty-four hours of actual pupil attendance in a term scheduled by the board pursuant to section 160.041, RSMo, for each pupil or group of pupils, except that the board shall provide a minimum of one hundred seventy-four days and five hundred twenty-two hours of actual pupil attendance in a term for kindergarten pupils. If any school is dismissed because of inclement weather after school has been in session for three hours, that day shall count as a school day including afternoon session kindergarten students. When the aggregate hours lost in a term due to inclement weather decreases the total hours of the school term below the required minimum number of hours by more than twelve hours for all day students or six hours for one-half day kindergarten students, all such hours

below the minimum must be made up in one-half day or full day additions to the term, except as provided in section 171.033, RSMo;

(2) Maintains adequate and accurate records of attendance, personnel and finances, as required by the state board of education, which shall include the preparation of a financial statement which shall be submitted to the state board of education the same as required by the provisions of section 165.111, RSMo, for districts;

(3) Levies an operating levy for school purposes of not less than one dollar and twenty-five cents after all adjustments and reductions on each one hundred dollars assessed valuation of the district;

(4) Computes average daily attendance as defined in subdivision (2) of section 163.011 as modified by section 171.031, RSMo. Whenever there has existed within the district an infectious disease, contagion, epidemic, plague or similar condition whereby the school attendance is substantially reduced for an extended period in any school year, the apportionment of school funds and all other distribution of school moneys shall be made on the basis of the school year next preceding the year in which such condition existed.

2. [No school district shall receive more state aid, as calculated in section 163.031, for its education program than it received per eligible pupil for the school year 1990-91, unless it levies an operating levy for school purposes of not less than two dollars after all adjustments and reductions beginning with the tax year which commences January 1, 1993. For the 1994-95] **Beginning with the tax year which commences January 1, 1998, and for the 1998-99** school year and subsequent **tax and** school years, no school district shall receive more state aid, as calculated under section 163.031 for its education program, exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-94, unless it has an operating levy for [current] school purposes**, as determined pursuant to section 163.011,** of not less than two dollars and seventy-five cents after all adjustments and reductions [beginning with the tax year which commences January 1, 1994]**, with no more than ten cents of this tax rate levied in the debt service and capital projects funds and eligible for entry on line 1 of the state school aid formula contained in subsection 6 of section 163.031**; except that, beginning in the 1997-98 school year, any district which is required, pursuant to article X, section 22 of the Missouri Constitution, to reduce its operating levy below the minimum tax rate otherwise required under this subsection shall not be construed to be in violation of this subsection for making such tax rate reduction. Pursuant to section 10(c) of article X of the state constitution, a school district may levy the operating levy for school purposes required by this subsection less all adjustments required pursuant to article X, section 22 of the Missouri Constitution if such rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. Nothing in this section shall be construed to mean that a school district is guaranteed to receive an amount not less than the amount the school district received per eligible pupil for the school year 1990-91. The provisions of this subsection shall not apply to any school district located in a county of the second classification which has a nuclear power plant located in such district or to any school district located in a county of the third classification which has an electric power generation unit with a rated generating capacity of more than one hundred fifty megawatts which is owned or operated or both by a rural electric cooperative except that such school districts may levy for current school purposes and capital projects an operating levy not to exceed two dollars and seventy-five cents less all adjustments required pursuant to article X, section 22 of the Missouri Constitution.

3. No school district shall receive more state aid, as calculated in section 163.031, for its education program, exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-1994, if the state board of education determines that the district was not in compliance in the preceding school year with the requirements of section 163.172, until such time as the board determines that the district is again in compliance with the requirements of section 163.172.

4. The department of elementary and secondary education shall evaluate the correlation between district tax rates and district assessed valuation per pupil following each biennial property tax reassessment and shall report its findings to the governor and the general assembly by December first of the year following each reassessment. The findings shall include a calculation of the minimum required property tax rate necessary to maintain a correlation of zero or less between district property tax rate and district assessed valuation per pupil and a report of assessed valuation per pupil and district property tax rate for all districts.

5. No school district shall receive state aid, pursuant to section 163.031, if such district was not in compliance, during the preceding school year, with the requirement, established pursuant to section 160.530, RSMo, to allocate revenue to the professional development committee of the district.

6. No school district shall receive more state aid, as calculated in section 163.031, for its education program, exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-1994, if the district did not comply in the preceding school year with the requirements of subsection 7 of section 163.031.

7. No school district shall receive state aid, pursuant to section 163.031, if the district failed to make a required payment in the preceding year to the school building revolving fund pursuant to section 166.300, RSMo."; and

Further amend said bill, page 91, section 163.031, line 15 of said page, by inserting immediately after all of said line the following:

"165.011. 1. The following funds are created for the accounting of all school moneys: teachers' fund, incidental fund, free textbook fund, capital projects fund and debt service fund. The treasurer of the school district shall open an account for each fund specified in this section, and all moneys received from the county school fund

and all moneys derived from taxation for teachers' wages shall be placed to the credit of the teachers' fund. All tuition fees, state moneys received under sections 162.975, RSMo, and 163.031, RSMo, and all other moneys received from the state except as herein provided shall be placed to the credit of the teachers' and incidental funds at the discretion of the district board of education. **The portion of state aid received by the district pursuant to section 163.031, RSMo, based upon the portion of the tax rate in the debt service or capital projects funds, respectively, which is included in the operating levy for school purposes pursuant to section 163.011, RSMo, shall be placed to the credit of the debt service fund or capital projects fund, respectively.** Money received from other districts for transportation, and money derived from taxation for incidental expenses shall be credited to the incidental fund. Money apportioned for free textbooks shall be credited to the free textbook fund. All money derived from taxation or received from any other source for the erection of buildings or additions thereto and the remodeling or reconstruction of buildings and the furnishing thereof, for the payment of lease purchase obligations, for the purchase of real estate, or from sale of real estate, schoolhouses or other buildings of any kind, or school furniture, from insurance, from sale of bonds other than refunding bonds shall be placed to the credit of the capital projects fund. All moneys derived from the sale or lease of sites, buildings, facilities, furnishings and equipment by a school district as authorized under section 177.088, RSMo, shall be credited to the capital projects fund. Money derived from taxation for the retirement of bonds and the payment of interest thereon shall be credited to the debt service fund which shall be maintained as a separate bank account. Receipts from delinquent taxes shall be allocated to the several funds on the same basis as receipts from current taxes, except that where the previous years' obligations of the district would be affected by such distribution, the delinquent taxes shall be distributed according to the tax levies made for the years in which the obligations were incurred. All refunds received shall be placed to the credit of the fund from which the original expenditures were made. Money donated to the school districts shall be placed to the credit of the fund where it can be expended to meet the purpose for which it was donated and accepted. Money received from any other source whatsoever shall be placed to the credit of the fund or funds designated by the board.

2. The school board may expend from the incidental fund the sum that is necessary for the ordinary repairs of school property and an amount not to exceed the sum of expenditures for classroom instructional capital outlay, as defined by the department of elementary and secondary education by rule, in state-approved area vocational-technical schools and .06 dollars per one hundred dollars equalized assessed valuation multiplied by the guaranteed tax base for the second preceding year multiplied by the number of resident and nonresident eligible pupils educated in the district for the second preceding year for classroom instructional capital outlay, including but not limited to payments authorized pursuant to section 177.088, RSMo. Any and all payments authorized under section 177.088, RSMo, except as otherwise provided in this subsection, for the purchase or lease of sites, buildings, facilities, furnishings and equipment and all other expenditures for capital outlay shall be made from the capital projects fund. If a balance remains in the free textbook fund after books are furnished to pupils as provided in section 170.051, RSMo, it shall be transferred to the teachers' fund. The board may transfer the portion of the balance remaining in the incidental fund to the teachers' fund that is necessary for the total payment of all contracted obligations to teachers. If a balance remains in the debt service fund, after the total outstanding indebtedness for which the fund was levied is paid, the board may transfer the unexpended balance to the capital projects fund. If a balance remains in the bond proceeds after completion of the project for which the bonds were issued, the balance shall be transferred from the incidental or capital projects fund to the debt service fund. After making all placements of interest otherwise provided by law, a school district may transfer from the capital projects fund to the incidental fund the interest earned from undesignated balances in the capital projects fund.

3. Tuition shall be paid from either the teachers' or incidental funds.

4. Other provisions of law to the contrary notwithstanding, the school board of a school district that satisfies the criteria specified in subsection 5 of this section may transfer from the incidental fund to the capital projects fund an amount not to exceed the greater of zero or the sum of .18 dollars per one hundred dollars equalized assessed valuation multiplied by the guaranteed tax base for the second preceding year multiplied by the number of resident and nonresident eligible pupils educated in the district for the second preceding year and the amount to be expended for transportation equipment that is considered an allowable cost under state board of education rules for transportation reimbursements during the current year and any amount necessary to satisfy obligations of the capital projects fund for state-approved area vocational-technical schools and an amount not to exceed .06 dollars per one hundred dollars equalized assessed valuation multiplied by the guaranteed tax base for the second preceding year multiplied by the number of resident and nonresident eligible pupils educated in the district for the second preceding year less any amount transferred pursuant to subsection 7 of this section, provided that any amount transferred pursuant to this subsection shall only be transferred as necessary to satisfy obligations of the capital projects fund less any amount expended from the incidental fund for classroom instructional capital outlay pursuant to subsection 2 of this section. For the purposes of this subsection, the guaranteed tax base and a district's count of resident and nonresident eligible pupils educated in the district shall not be less than their respective values calculated from data for the 1992-93 school year.

5. In order to transfer funds pursuant to subsection 4 of this section, a school district shall:

(1) Meet the minimum criteria for state aid and for increases in state aid for the current year established pursuant to section 163.021, RSMo;

(2) Not incur a total debt, including short-term debt and bonded indebtedness in excess of ten percent of the guaranteed tax base for the preceding payment year multiplied by the number of resident and nonresident eligible pupils educated in the district in the preceding year;

(3) Set tax rates pursuant to section 164.011, RSMo;

(4) First apply any voluntary rollbacks or reductions to the total tax rate levied to the teachers' and incidental funds;

(5) In order to be eligible to transfer funds for paying lease purchase obligations:

(a) Incur such obligations, except for obligations for lease purchase for school buses, prior to January 1, 1997;

(b) Limit the term of such obligations to no more than twenty years;

(c) Limit annual installment payments on such obligations to an amount no greater than the amount of the payment for the first full year of the obligation, including all payments of principal and interest, except that the amount of the final payment shall be limited to an amount no greater than two times the amount of such first-year payment;

(d) Limit such payments to leasing nonathletic, classroom, instructional facilities as defined by the state board of education through rule; and

(e) Not offer instruction at a higher grade level than was offered by the district on July 12, 1994.

6. A school district shall be eligible to transfer funds pursuant to subsection 7 of this section if:

(1) Prior to August 28, 1993:

(a) The school district incurred an obligation for the purpose of funding payments under a lease purchase contract authorized under section 177.088, RSMo;

(b) The school district notified the appropriate local election official to place an issue before the voters of the district for the purpose of funding payments under a lease purchase contract authorized under section 177.088, RSMo; or

(c) An issue for funding payments under a lease purchase contract authorized under section 177.088, RSMo, was approved by the voters of the district; or

(2) Prior to November 1, 1993, a school board adopted a resolution authorizing an action necessary to comply with subsection 9 of section 177.088, RSMo. Any increase in the operating levy of a district above the 1993 tax rate resulting from passage of an issue described in paragraph (b) of subdivision (1) of this subsection shall be considered as part of the 1993 tax rate for the purposes of subsection 1 of section 164.011, RSMo.

7. Prior to transferring funds pursuant to subsection 4 of this section, a school district may transfer, pursuant to this subsection, from the incidental fund to the capital projects [funds] **fund** an amount as necessary to satisfy an obligation of the capital projects fund that satisfies at least one of the conditions specified in subsection 6 of this section, but not to exceed its payments authorized under section 177.088, RSMo, for the purchase or lease of sites, buildings, facilities, furnishings, equipment, and all other expenditures for capital outlay, plus the amount to be expended for transportation equipment that is considered an allowable cost under state board of education rules for transportation reimbursements during the current year plus any amount necessary to satisfy obligations of the capital projects fund for state-approved area vocational-technical schools. A school district with a levy for school purposes no greater than the minimum levy specified in section 163.021, RSMo, and an obligation in the capital projects fund that satisfies at least one of the conditions specified in subsection 6 of this section, may transfer from the incidental fund to the capital projects fund the amount necessary to meet the obligation plus the transfers pursuant to subsection 4 of this section.

8. Beginning in the 1995-96 school year, the department of elementary and secondary education shall deduct from a school district's state aid calculated pursuant to section 163.031, RSMo, an amount equal to the amount of any transfer of funds from the incidental fund to the capital projects fund performed during the previous year in violation of this section.

9. On or before June 30, 1995, a school district may transfer to the capital projects fund from the balances of the teachers' and incidental funds any amount, but only to the extent that the teachers' and incidental fund unrestricted balances on June 30, 1995, are equal to or greater than eight percent of expenditures from the teachers' and incidental funds for the year ending June 30, 1995.

10. In addition to other transfers authorized under subsections 1 to 9 of this section, a district may transfer from the teachers' and incidental funds to the capital projects fund the amount necessary to repay costs of one or more guaranteed energy savings performance contracts to renovate buildings in the school district; provided that the contract is only for energy conservation measures, as defined in section 640.651, RSMo, and provided that the contract specifies that no payment or total of payments shall be required from the school district until at least an equal total amount of energy and energy-related operating savings and payments from the vendor pursuant to the contract have been realized by the school district."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Kelly (27), House Amendment No. 26 was adopted.

Representative Ballard offered House Amendment No. 27.

Representative Monaco raised a point of order that House Amendment No. 27 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Thompson (37) offered House Amendment No. 27.

House Amendment No. 27

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 58, Section 1, by deleting all of said section.

Amend title and enacting clause accordingly.

Representative DeMarce offered House Substitute Amendment No. 1 for House Amendment No. 27.

House Substitute Amendment No. 1

for

House Amendment No. 27

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 58, Section 1, Line 10, by deleting the words: "**with more than thirty thousand students,**".

On motion of Representative Demarce, House Substitute Amendment No. 1 for House Amendment No. 27 was adopted.

Representative Purgason offered House Amendment No. 28.

House Amendment No. 28 was withdrawn.

Representative Purgason offered House Amendment No. 28.

House Amendment No. 28

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Pages 50 & 51, Section 166.275, Line 7, by deleting lines 8 through 22 on page 50, and 1 through 16 on page 51, and by inserting in lieu thereof the following:

"**To be divided equally among the school districts located in the counties which have been selected to participate in the elections process described in HB 1381 as it applies to chapter 115, RSMo.**"

Representative Monaco raised a point of order that House Amendment No. 28 was not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Gaston offered House Substitute Amendment No. 1 for House Amendment No. 28.

House Substitute Amendment No. 1

for

House Amendment No. 28

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 50, Section 166.275, Line 7, by deleting lines 8 through 13 on page 50, and by inserting in lieu thereof the following:

"(1) The first seventy-five million dollars, to be evenly divided between the school districts located in the counties of Texas and Howell."

Representative Gaston moved that House Substitute Amendment No. 1 for House Amendment No. 28. be adopted.

Which motion was defeated by the following vote:

AYES: 004

Elliott Ford Gaston Purgason

NOES: 144

Akin Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Gaskill

Gibbons Graham 106 Graham 24 Gratz Griesheimer

Gross Gunn Hagan-Harrell Hall Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hilgemann

Hohulin Holand Hollingsworth Hosmer Howerton

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Ransdall Reinhart Relford Reynolds Richardson

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

PRESENT: 003

Cierpiot Froelker Ridgeway

ABSENT WITH LEAVE: 011

Alter Copeland Green Harlan Hickey

Hoppe Johnson Kissell Shear Thomason 163

Thompson 37

VACANCIES: 001

House Amendment No. 28 was withdrawn.

Representative Froelker offered House Amendment No. 29.

Representative Monaco raised a point of order that House Amendment No. 29 amends previously amended material.

The Chair ruled the point of order well taken.

Representative Linton offered House Amendment No. 29.

House Amendment No. 29

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 1, In the Title, Line 8 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "twenty-three" and inserting in lieu thereof the word "twenty-four"; and

Further amend said bill, Page 2, Section A, Line 4 of said page, by deleting "and 2" and inserting in lieu thereof the following: ", 2 and 4"; and

Further amend said bill, Page 60, Section 2, Line 1 of said page, by inserting after all of said line the following:

"**Section 4. The board of directors of any school district may allow any teacher or administrator in a public school district of the state of Missouri to read or post in a public school building, classroom or at a school event any excerpts or portions of the:**

(1) National motto;

(2) National anthem;

(3) Pledge of allegiance;

(4) Preamble of the Missouri Constitution;

(5) Declaration of Independence;

(6) Mayflower Compact;

(7) Writings, speeches, documents, and proclamations of the founding fathers and presidents of the United States;

(8) United States Supreme Court decisions; and

(9) Acts of the United States Congress including the published text of the Congressional Record.

There shall be no content-based censorship of American history or heritage in the state of Missouri based on religious references in the writing, document and records specified in this section.".

Representative Monaco raised a point of order that House Amendment No. 29 amends previously amended material.

The Chair ruled the point of order not well taken.

On motion of Representative Linton, House Amendment No. 29 was adopted by the following vote:

AYES: 122

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bauer Bennett

Berkstresser Boatright Bonner Broach Burton

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniels 41 Davis 122 Davis 63

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Foley

Ford Foster Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Griesheimer Gross Hall Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hosmer Howerton

Johnson Kasten Kelley 47 Kennedy Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Loudon

Luetkenhaus Marble May 108 McBride McClelland

Merideth Miller Monaco Murphy Murray

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Robirds Ross Sallee Schilling

Schwab Scott Secrest Sheldon 104 Shields

Steen Stokan Stoll Stroker Summers

Thomason 163 Townley Vogel Wannenmacher Williams 159

Wooten Mr. Speaker

NOES: 026

Bartlett Bland Boucher Bray 84 Campbell

Carter Days Fitzwater Franklin Gunn

Hagan-Harrell Harlan Hoppe Kauffman Mays 50

McLuckie Rizzo Seigfreid Shelton 57 Skaggs

Smith Thompson 72 Troupe Van Zandt Williams 121

Wilson

PRESENT: 001

Daniel 42

ABSENT WITH LEAVE: 013

Copeland Green Kelly 27 Kissell Lograsso

Long Naeger Scheve Shear Surface

Thompson 37 Treadway Wiggins

VACANCIES: 001

Representative Chrismer offered House Amendment No. 30.

Representative Relford raised a point of order that House Amendment No. 30 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Patek offered House Amendment No. 30.

Representative Fitzwater raised a point of order that House Amendment No. 30 amends previously amended material.

The Chair ruled the point of order well taken.

Representative Loudon offered House Amendment No. 30.

Representative Foley raised a point of order that House Amendment No. 30 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Scott offered House Amendment No. 30.

House Amendment No. 30 was withdrawn.

Representative Scott offered House Amendment No. 30.

House Amendment No. 30

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, by inserting on page 39, line 14, after the words "vocational courses," the following: "[", and further amend by

inserting on page 39, line 21, after the words "second previous year" the following: "] or other public school district board of education approved education programs during the regular school term", and further amend by

inserting on page 39, line 22, after the words "state board of education shall" the following: "determine public school district route approval procedures to be used by each public school district board of education to", and further amend by

inserting on page 40, line 1, after the words "total miles each" the following: "public school", and further amend by

inserting on page 40, line 2, after the word "district" the following: "[", and further amend said line by

inserting after the word "economical" the following: "] needs for safe and cost-efficient", and further amend by

inserting on page 40, line 3, after the words "the pupils and" the following: "the state board of education", and further amend said line by

inserting after the words "allowable costs." the following: "[", and further amend by

inserting on page 40, line 14, after the words "shall not be affected." the following: "]", and further amend by

inserting on page 40, line 22, after the number "3." the following: "[", and further amend by

inserting on page 41, line 9, after the words "secondary education." the following: "]", and further amend by

inserting on page 41, line 13, before the words "which may" the following: "[", and further amend by

inserting on page 41, line 18, after the word "transported", but before ";" the following: "]".

On motion of Representative Scott, House Amendment No. 30 was adopted.

Representative Marble offered House Amendment No. 31.

House Amendment No. 31

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 1, In the Title, Line 5 of said page, by inserting immediately after the number "163.011," the number "163.021,"; and

Further amend said bill, Page 1, In the Title, Line 8 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 16 of said page, by inserting immediately after the number "160.011," the number "163.021,"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "twenty-three" and inserting in lieu thereof the word "twenty-four"; and

Further amend said bill, Page 2, Section A, Line 3 of said page, by inserting immediately after the number "162.1100," the number "163.021,"; and

Further amend said bill, Page 39, Section 162.1100, Line 5 of said page, by inserting after all of said line the following:

"163.021. 1. A school district shall receive state aid for its education program only if it:

(1) Provides for a minimum of one hundred seventy-four days and one thousand forty-four hours of actual pupil attendance in a term scheduled by the board pursuant to section 160.041, RSMo, for each pupil or group of pupils, except that the board shall provide a minimum of one hundred seventy-four days and five hundred twenty-two hours of actual pupil attendance in a term for kindergarten pupils. If any school is dismissed because of inclement weather after school has been in session for three hours, that day shall count as a school day including afternoon session kindergarten students. When the aggregate hours lost in a term due to inclement weather decreases the total hours of the school term below the required minimum number of hours by more than twelve hours for all day students or six hours for one-half day kindergarten students, all such hours below the minimum must be made up in one-half day or full day additions to the term, except as provided in section 171.033, RSMo;

(2) Maintains adequate and accurate records of attendance, personnel and finances, as required by the state board of education, which shall include the preparation of a financial statement which shall be submitted to the state board of education the same as required by the provisions of section 165.111, RSMo, for districts;

(3) Levies an operating levy for school purposes of not less than one dollar and twenty-five cents after all adjustments and reductions on each one hundred dollars assessed valuation of the district;

(4) Computes average daily attendance as defined in subdivision (2) of section 163.011 as modified by section 171.031, RSMo. Whenever there has existed within the district an infectious disease, contagion, epidemic, plague or similar condition whereby the school attendance is substantially reduced for an extended period in any school year, the apportionment of school funds and all other distribution of school moneys shall be made on the basis of the school year next preceding the year in which such condition existed.

2. [No school district shall receive more state aid, as calculated in section 163.031, for its education program than it received per eligible pupil for the school year 1990-91, unless it levies an operating levy for school purposes of not less than two dollars after all adjustments and reductions beginning with the tax year which commences January 1, 1993. For the 1994-95 school year and subsequent school years,] No school district shall receive more state aid, as calculated under section 163.031 for its education program, exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-94, unless it has an operating levy for current school purposes of not less than two dollars and seventy-five cents after all adjustments and reductions [beginning with] **based upon assessed valuations of** the tax year which commences January 1, 1994; except that, beginning in the 1997-98 school year, any district which is required, pursuant to article X, section 22 of the Missouri Constitution, to reduce its operating levy below the minimum tax rate otherwise required under this subsection shall not be construed to be in violation of this subsection for making such tax rate reduction. Pursuant to section 10(c) of article X of the state constitution, a school district may levy the operating levy for school purposes required by this subsection less all adjustments required pursuant to article X, section 22 of the Missouri Constitution if such rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. [Nothing in this section shall be construed to mean that a school district is guaranteed to receive an amount not less than the amount the school district received per eligible pupil for the school year 1990-91.] The provisions of this subsection shall not apply to any school district located in a county of the second classification which has a nuclear power plant located in such district or to any school district located in a county of the third classification which has an electric power generation unit with a rated generating capacity of more than one hundred fifty megawatts which is owned or operated or both by a rural electric cooperative except that such school districts may levy for current school purposes and capital projects an operating levy not to exceed two dollars and seventy-five cents less all adjustments required pursuant to article X, section 22 of the Missouri Constitution.

3. No school district shall receive more state aid, as calculated in section 163.031, for its education program,

exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-1994, if the state board of education determines that the district was not in compliance in the preceding school year with the requirements of section 163.172, until such time as the board determines that the district is again in compliance with the requirements of section 163.172.

4. The department of elementary and secondary education shall evaluate the correlation between district tax rates and district assessed valuation per pupil following each biennial property tax reassessment and shall report its findings to the governor and the general assembly by December first of the year following each reassessment. The findings shall include a calculation of the minimum required property tax rate necessary to maintain a correlation of zero or less between district property tax rate and district assessed valuation per pupil and a report of assessed valuation per pupil and district property tax rate for all districts.

5. No school district shall receive state aid, pursuant to section 163.031, if such district was not in compliance, during the preceding school year, with the requirement, established pursuant to section 160.530, RSMo, to allocate revenue to the professional development committee of the district.

6. No school district shall receive more state aid, as calculated in section 163.031, for its education program, exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-1994, if the district did not comply in the preceding school year with the requirements of subsection 7 of section 163.031.

7. No school district shall receive state aid, pursuant to section 163.031, if the district failed to make a required payment in the preceding year to the school building revolving fund pursuant to section 166.300, RSMo.

8. Nothing in this section shall be construed to mean that a school district is guaranteed to receive an amount not less than the amount the school district received per eligible pupil for the school year 1990-91.".

Representative Marble moved that House Amendment No. 31 be adopted.

Which motion was defeated by the following vote:

AYES: 048

Alter Ballard Barnett Bartelsmeyer Bennett

Berkstresser Boatright Burton Chrismer Crawford

Daniels 41 DeMarce Edwards-Pavia Elliott Enz

Evans Farnen Ford Foster Gaskill

Gaston Graham 106 Gratz Hall Hartzler 124

Hegeman Hendrickson Hohulin Howerton Legan

Marble Miller Naeger Nordwald Patek

Pryor Purgason Richardson Robirds Sallee

Schwab Scott Sheldon 104 Shields Steen

Summers Surface Vogel

NOES: 101

Akin Auer Backer Barry 100 Bartlett

Bauer Bland Bonner Boucher Bray 84

Broach Campbell Carter Champion Cierpiot

Clayton Cooper Crump Daniel 42 Davis 122

Davis 63 Days Dolan Donovan Fitzwater

Foley Franklin Fritts Froelker Gibbons

Graham 24 Griesheimer Gross Gunn Hagan-Harrell

Hartzler 123 Heckemeyer Hickey Hilgemann Holand

Hollingsworth Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Kreider

Lakin Lawson Leake Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Merideth Monaco Murphy Murray O'Connor

O'Toole Ostmann Overschmidt Parker Pouche

Ransdall Reinhart Relford Reynolds Ridgeway

Rizzo Ross Schilling Secrest Seigfreid

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Thompson 37 Thompson 72 Townley Treadway

Van Zandt Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 012

Copeland Dougherty Green Harlan Hoppe

Hosmer Koller Scheve Shear Thomason 163

Wannenmacher Wiggins

VACANCIES: 001

Representative Hartzler (124) offered House Amendment No. 32.

House Amendment No. 32

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 15, Section 160.538, Line 5, by inserting immediately after said line the following:

(2) Curriculum enhancement to ensure the district embraces a rigorous academic curriculum articulated between grade levels and between classes within grade levels.

and renumber accordingly.

Representative Monaco raised a point of order that House Amendment No. 32 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Hartzler (124) moved that House Amendment No. 32 be adopted.

Which motion was defeated.

Representative Patek offered House Amendment No. 33.

House Amendment No. 33

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 70, Section 163.011, Lines 21 and 22 of said page, and Page 71, Lines 1 to 7 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"**(5) "District's performance rate", the district's average percentage of pupils from fiscal years 2001 and each successive fiscal year thereafter scoring below the proficiency level on the statewide assessment system on either mathematics or reading/communication arts;**"; and

Further amend said bill, Page 91, Section 163.031, Lines 1 to 4 of said page, by deleting all of said lines and inserting in lieu thereof the following: "**be reduced by one percent if the percentage of the district's pupils scoring below the proficiency level on either mathematics or reading has not increased by at least one percent over the previous year's district's performance rate. The provisions of this subsection shall expire during such time when the district's percentage of pupils scoring below the proficiency level is less than twenty-five percent.**".

Representative Patek moved that House Amendment No. 33 be adopted.

Which motion was defeated.

Representative Louden offered House Amendment No. 34.

House Amendment No. 34

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 60, Section 162.1060, Line 21 of said page by deleting the number "**(1)**"; and

Further amend said bill, said section, Page 61, Lines 14 through 22 of said page and Page 62, Lines 1 through 14 of said page by deleting all of said lines; and

Further amend said bill, said section, page 68, line 7 of said page, by inserting immediately after all of said line the following:

"**11. The provisions of this section shall apply to all pupils in the program and all pupils entering the program until July 1, 2002. Each such pupil to which this section applies may remain in the urban voluntary transfer program while an eligible pupil in a district participating in the program.**"

Representative Legan offered House Substitute Amendment No. 1 for House Amendment

No. 34.

House Substitute Amendment No. 1

for

House Amendment No. 34

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 60, Section 162.1060, Line 21 of said page by deleting the number "**(1)**"; and

Further amend said bill, said section, Page 61, Lines 14 through 22 of said page and Page 62, Lines 1 through 14 of said page by deleting all of said lines; and

Further amend said bill, said section, page 63, line 19 of said page, by deleting said line and inserting in lieu thereof the following: "**For the third and fourth years of operation only, the**" ; and

Further amend said bill, said section, page 64, line 8 of said page, by inserting after all of said line the following:

"**(4) The provisions of this section shall be operative until July 1, 2002, when state aid for the desegregation transfer program paid pursuant to this section shall cease.**" ; and

Further amend said bill, said section, page 67, lines 16 through 22 and page 68, lines 1 through 7 of said page, by deleting all of said lines.

Representative Legan moved that House Substitute Amendment No. 1 for House Amendment No. 34 be adopted.

Which motion was defeated by the following vote:

AYES: 078

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Crawford Dolan

Edwards-Pavia Elliott Enz Evans Ford

Foster Froelker Gaskill Gaston Graham 106

Gratz Green Griesheimer Hall Hartzler 124

Hegeman Hendrickson Hohulin Holand Hosmer

Howerton Kasten Kelley 47 Klindt Kreider

Legan Levin Linton Lograsso Long

Loudon Luetkenhaus Marble McBride Merideth

Miller Murphy Naeger Nordwald Patek

Pouche Pryor Purgason Reinhart Richardson

Ridgeway Robirds Sallee Schwab Scott

Secrest Seigfreid Sheldon 104 Shields Steen

Summers Surface Townley Treadway Vogel

Wannenmacher Williams 159 Wooten

NOES: 081

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Clayton Cooper Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Donovan Dougherty Farnen Fitzwater Foley

Franklin Fritts Gibbons Graham 24 Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Heckemeyer

Hickey Hilgemann Hollingsworth Hoppe Johnson

Kauffman Kelly 27 Kennedy Koller Lakin

Lawson Leake Liese May 108 Mays 50

McClelland McLuckie Monaco Murray O'Connor

O'Toole Ostmann Overschmidt Parker Ransdall

Relford Reynolds Rizzo Ross Scheve

Schilling Shelton 57 Skaggs Smith Stokan

Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Troupe Van Zandt Wiggins Williams 121 Wilson

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Copeland Kissell Shear

VACANCIES: 001

Representative Legan requested a verification of the roll call on the adoption of House Substitute Amendment No. 1 for House Amendment No. 34.

Representative Loudon moved that House Amendment No. 34 be adopted.

Which motion was defeated.

Representative Schilling offered House Amendment No. 35.

Representative Relford raised a point of order that House Amendment No. 35 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Evans offered House Amendment No. 35.

House Amendment No. 35

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 15, Section 162.1100, Line 13, by deleting lines 13 through 18, and replacing with "**2. (1) The governing board of the transitional school district shall consist of the mayor of the city not within a county who shall have the authority to appoint a chief executive officer.**"

And further amend said bill, section 162.1100, by deleting all of subsection (2), lines 22 through 32.

Representative Evans moved that House Amendment No. 35 be adopted.

Which motion was defeated.

Representative Shields offered House Amendment No. 36.

House Amendment No. 36

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 91, Section C, Line 17, by adding after the words 1999, the following for all school districts in the state of Missouri with the exception of a metropolitan school district. The provisions of section B of this act shall become effective on July 1, 1999, for a metropolitan school district.".

On motion of Representative Shields, House Amendment No. 36 was adopted by the following vote:

AYES: 081

Akin Alter Backer Ballard Barnett

Bartelsmeyer Bennett Berkstresser Boatright Bonner

Broach Burton Champion Chrismer Cierpiot

Cooper Crawford DeMarce Dolan Edwards-Pavia

Elliott Enz Evans Farnen Ford

Foster Froelker Gaskill Gaston Graham 106

Gratz Griesheimer Hall Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hohulin Holand Howerton

Kasten Kelley 47 Klindt Lawson Legan

Levin Lograsso Loudon Marble McBride

Merideth Miller Monaco Murphy Naeger

Nordwald Patek Pouche Pryor Purgason

Ransdall Reinhart Richardson Ridgeway Robirds

Ross Sallee Schwab Scott Secrest

Seigfreid Sheldon 104 Shields Steen Stokan

Summers Surface Townley Vogel Wannenmacher

Williams 159

NOES: 072

Auer Barry 100 Bartlett Bauer Bland

Boucher Bray 84 Campbell Carter Clayton

Crump Daniels 41 Davis 122 Davis 63 Days

Donovan Fitzwater Foley Franklin Fritts

Gibbons Graham 24 Green Gross Gunn

Hagan-Harrell Hendrickson Hickey Hilgemann Hollingsworth

Hoppe Hosmer Johnson Kauffman Kelly 27

Kennedy Koller Lakin Leake Liese

Linton Luetkenhaus May 108 Mays 50 McClelland

McLuckie Murray O'Connor O'Toole Ostmann

Overschmidt Parker Relford Reynolds Rizzo

Schilling Shelton 57 Skaggs Smith Stoll

Stroker Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Wiggins Williams 121 Wilson

Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland Daniel 42 Dougherty Harlan Kissell

Kreider Long Scheve Shear

VACANCIES: 001

Representative Shields offered House Amendment No. 37.

House Amendment No. 37

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 1, In the Title, Line 8 of said page, by deleting the word "twenty-seven" and inserting in lieu thereof the word "twenty-eight"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting the word "twenty-three" and inserting in lieu thereof the word "twenty-four"; and

Further amend said bill, Page 2, Section A, Line 4 of said page, by deleting "and 2" and inserting in lieu thereof the following: ", 2 and 4"; and

Further amend said bill, Page 60, Section 2, Line 1 of said page, by inserting after all of said line the following:

"**Section 4. An urban school district containing all or most of a city with a population of more than three hundred fifty thousand inhabitants shall have one hundred ninety thousand dollars deducted from the amount such district receives pursuant to section 163.031, RSMo, each year the superintendent of the district is not a certificated employee.**".

Representative Shields moved that House Amendment No. 37 be adopted.

Which motion was defeated.

Representative Kelley (47) offered House Amendment No. 38.

Representative Monaco raised a point of order that House Amendment No. 38 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Merideth offered House Amendment No. 38.

House Amendment No. 38

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 93, Line 18, by inserting after all of said line the following:

167.223. 1. Public high schools may, in cooperation with [Missouri] public community colleges and public or private four-year colleges and universities, offer postsecondary course options to high school students. A postsecondary course option allows eligible students to attend **college level** vocational or academic classes [on] **offered by** a college or university campus and receive both high school and college credit upon successful completion of the course. **Public high schools shall give priority to Missouri public community colleges and public or private four-year colleges and universities and shall offer options at out-of-state institutions only when it is clearly within the best interests of the individual student.**

2. For purposes of state aid, the pupil's resident district shall continue to count the pupil in the average daily attendance of such resident district for any time the student is attending a postsecondary course.

3. Any pupil enrolled in a **Missouri** community college under a postsecondary course option shall be considered a resident student for the purposes of calculating state aid to the community college.

4. **Missouri** community colleges and four-year colleges and universities may charge reasonable fees for pupils enrolled in courses under a postsecondary course option. Such fees may be paid by the district of residence or by the pupil, as determined by the agreement between the district of residence and the college or university**, without regard to whether the community college, college or university is located in the state of Missouri**.

And further amend title and enacting clause accordingly.

Representative Merideth moved that House Amendment No. 38 be adopted.

Which motion was defeated.

Representative Patek offered House Amendment No. 39.

House Amendment No. 39

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 91, Section 10, Line 12, by deleting the word "one" and inserting in lieu thereof the word "**three**".

Representative Patek moved that House Amendment No. 39 be adopted.

Which motion was defeated.

Representative O'Toole offered House Amendment No. 40.

House Amendment No. 40

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781, Page 93, Section E, by inserting after said section:

"**Section F. This is the 40th amendment and it is time to stop.**".

Representative O'Toole moved that House Amendment No. 40 be adopted.

Which motion was defeated.

On motion of Representative Stoll, **HS HCS SS SCS SB 781, as amended**, was adopted.

Representative Scott moved that **HS HCS SS SCS SB 781, as amended,** to be re-referred to the Committee on Budget.

Which motion was defeated by the following vote:

AYES: 073

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Carter Champion Chrismer Cierpiot Cooper

Crawford Daniel 42 Dolan Edwards-Pavia Enz

Evans Ford Foster Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Griesheimer Gross Hall Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Kasten

Kelley 47 Klindt Kreider Legan Levin

Linton Lograsso Loudon Marble Merideth

Miller Murphy Naeger Nordwald Patek

Pouche Pryor Purgason Reinhart Richardson

Ridgeway Robirds Sallee Schwab Scott

Secrest Sheldon 104 Shields Steen Summers

Townley Vogel Wannenmacher

NOES: 083

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Clayton Copeland Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Donovan Dougherty

Elliott Farnen Fitzwater Foley Franklin

Fritts Green Gunn Hagan-Harrell Harlan

Hartzler 123 Heckemeyer Hickey Hilgemann Hollingsworth

Hoppe Hosmer Johnson Kauffman Kelly 27

Kennedy Koller Lakin Lawson Leake

Liese Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Monaco Murray O'Connor

O'Toole Ostmann Overschmidt Parker Ransdall

Relford Reynolds Rizzo Ross Scheve

Schilling Seigfreid Shelton 57 Skaggs Smith

Stokan Stoll Stroker Thomason 163 Thompson 72

Treadway Troupe Van Zandt Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Kissell Long Shear Surface Thompson 37

Wooten

VACANCIES: 001

On motion of Representative Stoll, **HS HCS SS SCS SB 781, as amended,** was read the third time and passed by the following vote:

AYES: 113

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bauer Bennett Berkstresser Bland

Bonner Boucher Bray 84 Broach Burton

Campbell Chrismer Cierpiot Clayton Cooper

Copeland Crump Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Enz Farnen Foley Franklin Fritts

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Hegeman Hendrickson Hickey

Hilgemann Hollingsworth Hoppe Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Koller Lakin Lawson Leake Levin

Liese Lograsso Luetkenhaus May 108 Mays 50

McClelland McLuckie Merideth Monaco Murray

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Ransdall Reinhart Relford

Reynolds Ridgeway Rizzo Ross Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shields Skaggs Stokan Stoll

Stroker Summers Thomason 163 Thompson 37 Thompson 72

Treadway Van Zandt Vogel Wiggins Williams 121

Wilson Wooten Mr. Speaker

NOES: 043

Akin Ballard Bartlett Boatright Carter

Champion Crawford Edwards-Pavia Elliott Evans

Ford Foster Froelker Gaskill Gaston
Hall Heckemeyer Hohulin Holand Hosmer
Klindt Kreider Legan Linton Loudon
Marble McBride Miller Murphy Naeger
Nordwald Pryor Purgason Richardson Robirds
Sallee Shelton 57 Smith Steen Townley
Troupe Wannenmacher Williams 159

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42 Fitzwater Kissell Long Shear
Surface

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 101

Auer Backer Barnett Barry 100 Bauer
Bland Bonner Boucher Bray 84 Broach
Burton Campbell Cierpiot Clayton Cooper
Copeland Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Farnen Fitzwater Foley Franklin
Fritts Gibbons Graham 106 Graham 24 Gratz
Green Gunn Hagan-Harrell Harlan Heckemeyer
Hegeman Hickey Hilgemann Hollingsworth Hoppe
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Koller Lakin Lawson Leake
Levin Liese Luetkenhaus May 108 Mays 50
McBride McClelland McLuckie Merideth Monaco
Murray O'Connor O'Toole Ostmann Overschmidt
Parker Patek Ransdall Reinhart Relford
Reynolds Rizzo Ross Sallee Scheve
Schilling Seigfreid Shields Skaggs Smith
Stoll Stroker Summers Thomason 163 Thompson 37
Thompson 72 Townley Treadway Van Zandt Vogel
Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 058

Akin Alter Ballard Bartelsmeyer Bartlett

Bennett Berkstresser Boatright Carter Champion

Chrismer Crawford Edwards-Pavia Elliott Enz

Evans Ford Foster Froelker Gaskill

Gaston Griesheimer Gross Hall Hartzler 123

Hartzler 124 Hendrickson Hohulin Holand Hosmer

Howerton Klindt Kreider Legan Linton

Lograsso Long Loudon Marble Miller

Murphy Naeger Nordwald Pouche Pryor

Purgason Richardson Ridgeway Robirds Schwab

Scott Secrest Sheldon 104 Shelton 57 Steen

Stokan Troupe Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 003

Kissell Shear Surface

VACANCIES: 001

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Harlan moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

COMMITTEE REPORT

Committee on Miscellaneous Bill and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Concurrent Resolution No. 30

WHEREAS, scores of thousands of brave Missouri citizens have fought and died for the freedoms promised them by Democracy and tolerance; and

WHEREAS, Missouri parents have continually put forth a tremendous degree of effort in making life better for

their children; and

WHEREAS, the great State of Missouri is exceedingly proud of its diverse heritage, which serves as the cornerstone of its rich culture; and

WHEREAS, Democracy works to protect the rights of the minority while maintaining the will of the majority; and

WHEREAS, the State of Missouri faces many challenges associated with diversity and the richness of a distinct, multiethnic society; and

WHEREAS, Missouri legislators strive to meet the challenge of promoting the best interests of all Missouri citizens; and

WHEREAS, there will always be individuals that seek to turn one human being against another through inflammatory rhetoric and misinformation:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Eighty-ninth General Assembly, Second Regular Session, the Senate concurring therein, that the Missouri General Assembly commit itself to the principles of tolerance, understanding and knowledge and denounce those who seek to splinter our union through hatred and bigotry which comes only from ignorance taught through past generations; and

BE IT FURTHER RESOLVED that we proclaim the need to break this destructive cycle of hate by recommitting ourselves to the essence of human understanding and civility.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HB 1272**: Senators Goode, Johnson, Clay, Bentley and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HBs 1601, 1591, 1592, 1479 & 1615 and HCS HBs 1094, 1213, 1311 & 1428**, entitled:

An act to repeal sections 334.738, 334.741, 334.742, 337.010, 337.025, 337.033, 339.503, 339.505, 339.509, 339.511, 339.513, 339.515, 339.517, 339.519, 339.523, 339.527, 339.529, 339.530, 339.532 and 339.545, RSMo 1994, and sections 329.140, 329.265, 330.010, 334.735, 334.736, 334.740, 334.749, 337.020, 337.029, 337.045, 339.507, 339.710, 339.720, 339.730, 339.740, 339.770, 339.780, 339.800, 339.810, 339.820 and 339.830, RSMo Supp. 1997, relating to the regulation of certain professions, and to enact in lieu thereof ninety-nine new sections relating to the same subject, with penalty provisions and an effective date for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 16, Senate Amendment No. 20, Senate Amendment No. 22, Senate Amendment No. 23, and Senate Amendment No. 28.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, by inserting after all of said line the following:

"334.010. **1.** It shall be unlawful for any person not now a registered physician within the meaning of the law to practice medicine or surgery in any of its departments, **to engage in the practice of medicine across state lines** or to profess to cure and attempt to treat the sick and others afflicted with bodily or mental infirmities, or engage in the practice of midwifery in this state, except as herein provided.

2. For the purposes of this chapter, the practice of medicine across state lines shall mean:

(1) The rendering of a written or otherwise documented medical opinion concerning the diagnosis or treatment of a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic or other means from within this state to such physician or physician's agent; or

(2) The rendering of treatment to a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic or other means from within this state to such physician or physician's agent.

3. A physician located outside of this state shall not be required to obtain a license when:

(1) In consultation with a physician licensed to practice medicine in this state; and

(2) The physician licensed in this state retains ultimate authority and responsibility for the diagnosis or diagnoses and treatment in the care of the patient located within this state; or

(3) Evaluating a patient or rendering an oral, written or otherwise documented medical opinion, or when providing testimony or records for the purpose of any civil or criminal action before any judicial or administrative proceeding of this state or other forum in this state; or

(4) Participating in a utilization review pursuant to section 376.1350, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, Page 70, Section 339.855, Line 5, by inserting immediately after said line the following:

"345.010. [This chapter] **Sections 345.010 to 345.080** may be cited as the "Licensure Act for Speech-Language Pathologists and [Clinical] Audiologists".

345.015. As used in [this chapter] **sections 345.010 to 345.080**, the following terms mean:

(1) ["Audiology", the application of principles, methods and procedures related to hearing and the disorders of hearing and to related language and speech disorders. "Disorders" include any and all conditions, whether of organic or nonorganic origin, peripheral or central, that impede the normal process of human communication including, but not limited to, disorders of auditory sensitivity, acuity, function or processing;] **"Audiologist", a person who is licensed as an audiologist pursuant to sections 345.010 to 345.080 to practice audiology;**

(2) "Audiology aide", a person who is registered as an audiology aide by the board, who does not act independently but works under the direction and supervision of a licensed audiologist. Such person assists the audiologist with activities which require an understanding of audiology but do not require formal training in the relevant academics. To be eligible for registration by the board, each applicant shall submit a registration fee, be of good moral and ethical character; and:

(a) Be at least eighteen years of age;

(b) Furnish evidence of the person's educational qualifications which shall be at a minimum:

a. Certification of graduation from an accredited high school or its equivalent; and

b. On the job training;

(c) Be employed in a setting in which direct and indirect supervision are provided on a regular and systematic basis by a licensed audiologist. However, the aide shall not administer or interpret hearing screening or diagnostic tests, fit or dispense hearing instruments, make ear impressions, make diagnostic statements, determine case selection, present written reports to anyone other than the supervisor without the signature of the supervisor, make referrals to other professionals or agencies, use a title other than speech-language pathology aide or clincical audiology aide, develop or modify treatment plans, discharge clients from treatment or terminate treatment, disclose clincial information, either orally or in writng, to anyone other than the supervisiing speech-language pathologist/audiologist, or perform any procedure for which he or she is not qualified, has not been adequately trained or both;

[(2)] **(3)** "Board", the state board of **registration for the** healing arts;

(4) "Clinical fellowship", the supervised professional employment period following completion of the academic and practicum requirements of an accredited training program as defined in sections 345.010 to 345.080;

[(3)] **(5)** "Commission", the advisory commission for speech-language pathologists and [clinical] audiologists;

(6) "Hearing instrument" or "hearing aid", any wearable device or instrument designed for or offered for the purpose of aiding or compensating for impaired human hearing and any parts, attachments or accessories, including ear molds, but excluding batteries, cords, receivers and repairs;

[(4)] **(7)** "Person", any individual, organization, or corporate body, except that only individuals may be licensed [under this chapter] **pursuant to sections 345.010 to 345.080**;

[(5) "Practice of audiology":

(a) Rendering or offering to render to individuals or groups of individuals who have, or are suspected of having, disorders of hearing, any service in audiology, including prevention, identification, evaluation, interpretation, consultation, habilitation, rehabilitation, instruction and research;

(b) Participating in hearing conservation, hearing aid and assistive listening device evaluation, prescription, preparation and orientation;

(c) Fabricating ear molds;

(d) Providing auditory training and speech reading;

(e) Conducting assessment, monitoring and consultation of evoked nerve potentials;

(f) Conducting tests of vestibular function;

(g) Evaluating tinnitus; and

(h) Planning, directing, conducting or supervising services.

The practice of audiology may include speech or language screening limited to a pass/fail determination, for the purpose of initial identification of individuals with other disorders of communication;

(6) "Practice of speech-language pathology":

(a) Rendering or offering to render to individuals or groups of individuals who have, or are suspected of having, disorders of communication, any service in speech-language pathology including prevention, identification, evaluation, consultation, habilitation, rehabilitation, instruction and research;

(b) Determining the need for personal augmentative communication systems, recommending such systems; and

(c) Planning, directing, conducting or supervising services.

The practice of speech-language pathology may include puretone air conduction hearing screening, screening tympanometry and acoustic reflex screening, limited to a pass/fail determination, for the purpose of performing a speech and language evaluation or for the initial identification of individuals with other disorders of communication. The practice of speech-language pathology may also include "aural rehabilitation" which is defined as services and procedures for facilitating adequate receptive and expressive communication in individuals with hearing impairment;

(7) "Clinical audiologist", any person who, for a fee, represents himself to the public by title or description of services, methods, or procedures as one who evaluates, examines, treats, or counsels persons suffering from disorders or conditions affecting the hearing or audition. A person is deemed to be an audiologist if he provides such services to the public under any title incorporating such terms as "audiology", "audiologist", "audiological", "hearing clinic", "hearing clinician", "hearing therapist", or any similar titles not otherwise permitted by law;

(8) "Speech-language pathologist", any person who, for a fee, represents himself to the public by title, description of services, methods, or procedures as one who evaluates, examines, treats, or counsels persons suffering from conditions or disorders affecting speech, voice and language. A person is deemed to be a speech-language pathologist, if the person offers such services under any title incorporating such words as "speech-language pathologist", "speech pathologist", "speech therapy", "speech correction", "speech correctionist", "speech therapist", "speech clinic", "speech clinician", "logopedist", "communicologist", "language therapist", "language clinician", "voice pathologist", "phoniatrist", or any similar titles;

(9) "Speech-language pathology", the application of principles, methods and procedures related to the development and disorders of human communication. "Disorders" include any and all conditions, whether of organic or nonorganic origin, that impede the normal process of human communication including, but not limited to, disorders and related disorders of speech articulation, fluency, voice, verbal and written language, auditory comprehension, cognition/communication, and oral, pharyngeal or laryngeal sensorimotor competencies;

(10) "Speech pathology aide" and "audiology aide", any person meeting the minimum requirements to be established by the state committee of examiners for speech-language pathology and audiology, who works

directly under the supervision of a licensed speech-language pathologist or clinical audiologist, respectively.]

(8) "Practice of audiology":

(a) The application of accepted audiologic principles, methods and procedures for the measurement, testing, interpretation, appraisal and prediction related to disorders of the auditory system, balance system or related structures and systems;

(b) Provides consultation, counseling to the patient, client, student, their family or interested parties;

(c) Provides academic, social and medical referrals when appropriate;

(d) Provides for establishing goals, implementing strategies, methods and techniques, for habilitation, rehabilitation or aural rehabilitation, related to disorders of the auditory system, balance system or related structures and systems;

(e) Provides for involvement in related research, teaching or public education;

(f) Provides for rendering of services or participates in the planning, directing or conducting of programs which are designed to modify audition, communicative, balance or cognitive disorder, which may involve speech and language or education issues;

(g) Provides and interprets behavioral and neurophysiologic measurements of auditory balance, cognitive processing and related functions, including intraoperative monitoring;

(h) Provides involvement in any tasks, procedures, acts or practices that are necessary for evaluation of audition, hearing, training in the use of amplification or assistive listening devices;

(i) Provides selection and assessment of hearing instruments;

(j) Provides for taking impressions of the ear, making custom earmolds, ear plugs, swim molds and industrial noise protectors;

(k) Provides assessment of external ear and cerumen management;

(l) Provides advising, fitting, mapping assessment of implantable devices such as cochlear or auditory brain stem devices;

(m) Provides information in noise control and hearing conservation including education, equipment selection, equipment calibration, site evaluation and employee evaluation;

(n) Provides performing basic speech-language screening test;

(o) Provides involvement in social aspects of communication, including challenging behavior and ineffective social skills, lack of communication opportunities;

(p) Provides support and training of family members and other communication partners for the individual with auditory balance, cognitive and communication disorders;

(q) Provides aural rehabilitation and related services to individuals with hearing loss and their families;

(r) Evaluates, collaborates and manages audition problems in the assessment of the central auditory processing disorders and providing intervention for individuals with central auditory processing disorders;

(s) Develops and manages academic and clinical problems in communication sciences and disorders;

(t) Conducts, disseminates and applies research in communication sciences and disorders;

(9) "Practice of speech-language pathology":

(a) Provides screening, identification, assessment, diagnosis, treatment, intervention, including but not limited to, prevention, restoration, amelioration and compensation, and follow-up services for disorders of:

a. Speech: articulation, fluency, voice, including respiration, phonation and resonance;

b. Language, involving the parameters of phonology, morphology, syntax, semantics and pragmatic; and including disorders of receptive and expressive communication in oral, written, graphic and manual modalities;

c. Oral, pharyngeal, cervical esophageal and related functions, such as, dysphagia, including disorders of swallowing and oral functions for feeding; orofacial myofunctional disorders;

d. Cognitive aspects of communication, including communication disability and other functional disabilities associated with cognitive impairment;

e. Social aspects of communication, including challenging behavior, ineffective social skills, lack of communication opportunities;

(b) Provides consultation and counseling and makes referrals when appropriate;

(c) Trains and supports family members and other communication partners of individuals with speech, voice, language, communication and swallowing disabilities;

(d) Develops and establishes effective augmentative and alternative communication techniques and strategies, including selecting, prescribing and dispensing of argumentative aids and devices; and the training of individuals, their families and other communication partners in their use;

(e) Selects, fits and establishes effective use of appropriate prosthetic/adaptive devices for speaking and swallowing, such as tracheoesophageal valves, electrolarynges, speaking valves;

(f) Uses instrumental technology to diagnose and treat disorders of communication and swallowing, such as videofluoroscopy, nasendoscopy, ultrasonography and stroboscopy;

(g) Provides aural rehabilitative and related counseling services to individuals with hearing loss and to their families;

(h) Collaborates in the assessment of central auditory processing disorders in cases in which there is evidence of speech, language or other cognitive communication disorders; provides intervention for individuals with central auditory processing disorders;

(i) Conducts pure-tone air conduction hearing screening and screening tympanometry for the purpose of the initial identification or referral;

(j) Enhances speech and language proficiency and communication effectiveness, including but not limited to, accent reduction, collaboration with teachers of English as a second language and improvement of voice, performance and singing;

(k) Trains and supervises support personnel;

(l) Develops and manages academic and clinical programs in communication sciences and disorders;

(m) Conducts, disseminates and applies research in communication sciences and disorders;

(n) Measures outcomes of treatment and conducts continuous evaluation of the effectiveness of practices and programs to improve and maintain quality of services;

(10) "Speech-language pathologist", a person who is licensed as a speech-language pathologist pursuant to sections 345.010 to 345.080; who engages in the practice of speech-language pathology as defined in sections 345.010 to 345.080;

(11) "Speech-language pathology aide", a person who is registered as a speech-language aide by the board, who does not act independently but works under the direction and supervision of a licensed speech-language pathologist. Such person assists the speech-language pathologist with activities which require an understanding of speech-language pathology but does not require formal training in the relevant academics. To be eligible for registration by the board, each applicant shall submit a registration fee, be of good moral and ethical character; and:

(a) Be at least eighteen years of age;

(b) Furnish evidence of the person's educational qualifications which shall be at a minimum:

a. Certification of graduation from an accredited high school or its equivalent; and

b. On the job training;

(c) Be employed in a setting in which direct and indirect supervision is provided on a regular and systematic basis by a licensed speech-language pathologist. However, the aide shall not administer or interpret hearing screening or diagnostic tests, fit or dispense hearing instruments, make ear impressions, make diagnostic statements, determine case selection, present written reports to anyone other than the supervisor without the signature of the supervisor, make referrals to other professionals or agencies, use a title other than speech-language pathology aide or clincical audiology aide, develop or modify treatment plans, discharge clients from treatment or terminate treatment, disclose clincial information, either orally or in writng, to anyone other than the supervisiing speech-language pathologist/audiologist, or perform any procedure for which he or she is not qualified, has not been adequately trained or both;

(12) "Speech-language pathology assistant", a person who is registered as a speech-language pathology assistant by the board, who does not act independently but works under the direction and supervision of a licensed speech-language pathologist and whose activities require both academic and practical training in the field of speech-language pathology although less training than those established by sections 345.010 to

345.080 as necessary for licensing as a speech-language pathologist. To be eligible for registration by the board, each applicant shall submit the registration fee, be of good moral character; and:

(a) Furnish evidence of the person's educational qualifications which meet the following:

a. Hold a bachelor's level degree in speech language pathology or an associate's degree as a speech language pathology assistant from an institution accredited or approved by the Council on Academic Accreditation of the American Speech-Language-Hearing Association in the area of speech-language pathology; and

b. Submit official transcripts from one or more accredited colleges or universities presenting evidence of the completion of bachelor's or associate's level coursework and clinical practicum requirements equivalent to that required or approved by the Council on Academic Accreditation of the American Speech-Language-Hearing Association;

(b) The requirements of paragraph (a) of this subdivision shall be the minimum requirements for a speech-language pathology assistant until January 1, 2005. After January 1, 2005, to be eligible for registration by the board, each applicant shall submit the registration fee, be of good moral character and furnish evidence of the person's educational qualifications which meet the following:

a. Hold a minimum of an associate's degree as a speech-language pathology assistant from an institution accredited or approved by the Council on Academic Accreditation of the American Speech-Language-Hearing Association; and

b. Submit official transcripts from one or more accredited colleges or universities presenting evidence of the completion of coursework and clinical practicum requirements equivalent to that required or approved by the Council on Academic Accreditation of the American Speech-Language-Hearing Association;

(c) Furnish evidence of successful completion of a uniform, functionally based proficiency evaluation as determined by the board;

(d) The individuals meeting the requirements prior to January 1, 2005, may be granted continued registration from the board provided the individual meets the following:

a. Furnish evidence of employment in which direct and indirect supervision have been provided on a regular and systematic basis by a licensed speech-language pathologist; and

b. The individual is in good standing with the board with regard to practice prior to January 1, 2005.

345.020. 1. Licensure **or registration** shall be granted in either speech-language pathology or [clinical] audiology independently. A person may be licensed **or registered** in both areas if the person is qualified. Each licensed **or registered** person shall display the license **or certificate** prominently in the person's place of practice.

2. No person shall practice or hold himself **or herself** out as being able to practice speech-language pathology or [clinical] audiology in this state [for a fee] unless the person is licensed in accordance with **the** provisions of [this chapter] **sections 345.010 to 345.080**. Nothing in [this chapter] **sections 345.010 to 345.080**, however, shall be construed to prevent a qualified person licensed in this state under any other law from engaging in the profession for which the person is licensed, and a licensed physician or surgeon may practice speech-language pathology or [clinical] audiology without being licensed in accordance with the provisions of [this chapter] **sections 345.010 to 345.080**.

3. **No person shall hold himself or herself out as being a speech-language pathologist in this state unless the person is licensed as provided in sections 345.010 to 345.080. Any person who, in any manner, represents himself or herself as a speech-language pathologist or who uses in connection with such person's name the words or letters: "speech-language pathologist", "speech pathologist", "speech therapy", "speech therapist", "speech clinic", "speech clinician", "S.L.P.", "language specialist", "logopedist" or any other letters, words, abbreviations or insignia, indicating or implying that the person is a speech-language pathologist without a valid existing license is guilty of a class B misdemeanor.**

4. No person shall hold himself or herself out as being an audiologist in this state unless the person is licensed as provided in sections 345.010 to 345.080. Any person who, in any manner, represents himself or herself as an audiologist or who uses in connection with such person's name the words: "audiology", "audiologist", "audiological", "hearing clinic", "hearing clinician", "hearing therapist" or any other letters, words, abbreviations or insignia, indicating or implying that the person is an audiologist without a valid existing license is guilty of a class B misdemeanor.

5. No person shall hold himself or herself out as being a speech-language pathology assistant or aide or audiology aide in this state unless the person is registered as provided in sections 345.010 to 345.080.

6. Nothing in [this chapter] **sections 345.010 to 345.080** shall prohibit a corporation, partnership, trust, association, or other like organization from engaging in the business of speech-language pathology or [clinical] audiology without [certification] **licensure** if it employs licensed natural persons in the direct practice of

speech-language pathology or [clinical] audiology. Any such corporation, partnership, trust, association, or other like organization shall also file with the board a statement, on a form approved by the board, that it submits itself to the rules and regulations of the board and the provisions of [this chapter] **sections 345.010 to 345.080** which the board shall deem applicable to it.

345.022. 1. **Any person in the person's clinical fellowship as defined in sections 345.010 to 345.080 shall hold a provisional license to practice speech-language pathology or audiology.** The board may issue a provisional license to an applicant who:

(1) [Except for the postgraduate experience, meets the academic practicum and examination requirements of this chapter] **Has met the requirements for practicum and academic requirements from an accredited training program as defined in sections 345.010 to 345.080**;

(2) Submits an application to the board on a form prescribed by the board. Such form shall include a plan for the content and supervision of the [postgraduate experience] **clinical fellowship, as well as evidence of good moral and ethical character**; and

(3) [Pay] **Submits** to the board an application fee, as set by the board, for the provisional license.

2. A provisional license is effective for one year and may [not be renewed more than one time.] **be extended for an additional twelve months only for purposes of completing the post-graduate clinical experience portion of the clinical fellowship; provided that, the applicant has passed the national examination and shall hold a master's degree from an approved training program in his or her area of application.**

3. Within twelve months of issuance of the provisional license, the applicant shall pass an examination promulgated or approved by the board.

4. Within twelve months of issuance of a provisional license, the applicant shall complete the master's or doctoral degree from an institution accredited by the Council on Academic Accreditation of the American Speech-Language-Hearing Association in the area in which licensure is sought.

345.025. 1. The provisions of [this chapter] **sections 345.010 to 345.080** do not apply to:

(1) The activities, services, and the use of an official title on the part of a person in the employ of a federal agency insofar as such services are part of the duties of the person's office or position with such agency;

(2) The activities and services of certified teachers of the deaf;

(3) The activities and services of a student[, intern, or trainee] in speech-language pathology or [clinical] audiology pursuing a course of study at a university or college that has been approved by its regional accrediting association, or working in a recognized training center, if these activities and services constitute a part of the person's course of study supervised by a [certified] **licensed** speech-language pathologist or [clinical] audiologist **as provided in section 345.050**;

(4) [The activities and services of a person who has recently become a resident of the state and who has made application for licensing with or without examination, if the person was authorized by the laws of the state or country of the person's former residence to perform such activities or service;

(5)] The activities and services of [licensed] physicians and surgeons **licensed pursuant to chapter 334, RSMo**;

[(6)] **(5)** Audiometric technicians **who are** certified by the council for accreditation of occupational hearing conservationists when conducting pure tone air conduction audiometric tests for purposes of industrial hearing conservation [or to] **and** comply with requirements of the federal Occupational Safety and Health Administration;

[(7)] **(6)** A person who holds a current valid certificate as a speech-language pathologist issued by the Missouri [state] department of elementary and secondary education and who [provides speech-language pathology services with an educational agency, as long as that person remains in the employ of such agency] **is an employee of a public school while providing speech-language pathology services in such school system**.

2. No one shall be exempt [under] **pursuant to** subdivision (1) or [(7)] **(6)** of subsection 1 of this section if the person does any work as a speech-language pathologist or [clinical] audiologist **outside of the exempted areas outlined in section 345.025** for which a fee **or compensation** may be paid by the recipient of the service. When college or university clinics charge a fee, supervisors of student clinicians [must] **shall** be licensed.

345.030. 1. The board shall administer, coordinate, and enforce the provisions of [this chapter] **sections 345.010 to 345.080**, evaluate the qualifications of applicants, supervise the examination of applicants, issue licenses, and shall investigate persons engaging in practices which appear to violate the provisions of [this chapter] **sections 345.010 to 345.080**.

2. The board shall conduct such hearings and keep such records and minutes as shall be necessary to an orderly dispatch of business.

3. The board shall adopt reasonable rules and regulations which establish ethical standards of practice and

may amend or repeal the same.

4. Regular meetings of the [board] **commission** shall be held at such times and places as it prescribes, and special meetings may be held upon the call of the [chairman] **chairperson** or by request of at least two other members of the [board] **commission**, but at least one regular meeting shall be held each year.

5. [No rule or portion of a rule promulgated under the authority of this chapter shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided in this section, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided in this section.

6. Upon filing any proposed rule with the secretary of state, the board shall concurrently submit such proposed rule to the committee, which may hold hearings upon any proposed rule or portion thereof at any time.

7. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty- day period, the board may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

8. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

(1) An absence of statutory authority for the proposed rule;

(2) An emergency relating to public health, safety or welfare;

(3) The proposed rule is in conflict with state law;

(4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based.

9. If the committee disapproves any rule or portion thereof, the board shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

10. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratify the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

11. Upon adoption of a rule as provided in this section, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the Constitution of Missouri, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037, RSMo. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation.] **No rule or portion of a rule promulgated pursuant to the authority of sections 345.010 to 345.080 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.**

345.035. 1. The board may, within the limits of appropriations [made therefor], employ such board personnel as defined in subdivision (4) of subsection 15 of section 620.010, RSMo, as may be necessary to carry out its duties.

2. All expenses of the board shall be paid only from appropriations made for that purpose from the board of registration for the healing arts fund.

345.045. All moneys received [under this chapter] **pursuant to sections 345.010 to 345.080** shall be collected by the division of professional registration and shall be transmitted to the department of revenue for deposit in the state treasury to the credit of the board of registration for the healing arts fund.

345.050. 1. To be eligible for licensure by the board by examination, each applicant [must pay] **shall submit** the [licensing examination] **application** fee and [must] **shall furnish evidence of such person's good moral and ethical character, current competence and shall**:

(1) Hold a master's or a doctoral degree from an institution accredited by the [Educational Standards Board] **Council on Academic Accreditation** of the American Speech- Language-Hearing Association in the area in which licensure is sought;

(2) Submit **official** transcripts from one or more accredited colleges or universities presenting evidence of the completion of coursework and clinical practicum requirements equivalent to that required by the [Educational Standards Board] **Council on Academic Accreditation** of the American Speech-Language-Hearing Association;

(3) Present written evidence [from employers or supervisors of full- time professional employment, or equivalent, as required by the American Speech-Language-Hearing Association and pertinent to the license being sought] **of completion of clinical fellowship as defined in subdivision (4) of section 345.015 from supervisors**. The experience required by this subdivision shall follow the completion of the requirements of subdivisions (1) and (2) of this subsection. This period of employment [must] **shall** be under the direct supervision of [one] **a person** who is licensed by the state of Missouri in the profession in which the applicant seeks to be licensed [or so licensed in another state having standards comparable to those of Missouri, or holding the certificate of clinical competence issued by the American Speech-Language-Hearing Association in the profession in which the applicant seeks to be licensed];

(4) Pass an examination promulgated [and] **or** approved by the board. The board shall determine the subject and scope of the examinations. [Written examinations may be supplemented by oral examinations. An applicant who fails the examination may be reexamined at a subsequent date upon payment of another licensing examination fee.]

2. To be eligible for licensure by the board without examination, each applicant [must pay a fee equivalent to the licensing examination fee and must be of good moral character and either] **shall make application on forms prescribed by the board, submit the application fee and shall be of good moral and ethical character, submit an activities statement and meet one of the following requirements**:

(1) [Present proof of current licensure in a state which has standards at least equivalent to those of this state] **The board shall issue a license to any speech-language pathologist or audiologist who is licensed in another jurisdiction and who has had no violations, suspension or revocations of a license to practice speech-language pathology or audiology in any jurisdiction; provided that, such person is licensed in a jurisdiction whose requirements are substantially equal to, or greater than, Missouri at the time the applicant applies for licensure**; or

(2) Hold the certificate of clinical competence issued by the American Speech-Language-Hearing Association [in speech pathology and audiology] in the area in which licensure is sought.

345.051. 1. Every person licensed [under the provisions of this chapter] **or registered pursuant to the provisions of sections 345.010 to 345.080** shall renew the license on or before the renewal date. Such renewal date shall be determined by the board. The application shall be made on a form furnished by the board. The application shall include, but not be limited to, disclosure of the applicant's full name and the applicant's office and residence addresses and the date and number of the applicant's license, [and] all final disciplinary actions taken against the applicant by any speech-language-hearing association or society, state, territory, federal agency or country **and information concerning the applicant's current physical and mental fitness to practice as a speech-language pathologist or audiologist**.

2. A blank form for application for license renewal shall be mailed to each person licensed in this state at the person's last known office or residence address. The failure to mail the form of application or the failure to receive it does not, however, relieve any person of the duty to renew the license and pay the fee required by [this chapter nor exempt the person from the penalties provided by this chapter] **sections 345.010 to 345.080** for failure to renew the license.

3. An applicant for renewal of a license pursuant to this section shall:

(1) [Pay] **Submit** an amount established by the board; and

(2) Meet any other requirements the board establishes as conditions for license renewal, including the demonstration of continued competence to practice the profession for which the license is issued. A requirement of continued competence may include, but is not limited to, continuing education, examination, self-evaluation, peer review, performance appraisal or practical simulation.

[4. The board may grant a grace period for up to thirty days for renewal of an expired license if the licensee meets all the other requirements for renewal and pays the renewal fee and any late fee which is established by the board.

5.] **4.** If a license is suspended pursuant to section 345.065, the license expires on the expiration date as established by the board for all licenses issued pursuant to [this chapter] **sections 345.010 to 345.080**. Such license may be renewed but does not entitle the licensee to engage in the licensed activity or in any other conduct or activity which violates the order of judgment by which the license was suspended until such license has been reinstated.

[6.] **5.** If a license is revoked on disciplinary grounds pursuant to section 345.065, the license expires on the expiration date as established by the board for all licenses issued pursuant to [this chapter] **sections 345.010 to 345.080**. Such license may not be renewed. If a license is reinstated after its expiration, the licensee, as a condition of reinstatement, shall pay a reinstatement fee that is equal to the renewal fee in effect on the last regular renewal date immediately preceding the date of reinstatement plus any late fee established by the board.

345.055. 1. The board shall charge a license **or registration** renewal fee for each license **or registration** renewed. Persons possessing the required training and qualifications to be licensed **or registered** as both a speech-

language pathologist and [clinical] audiologist shall receive both licenses, which for the purposes of this section shall be considered as a single license **or certificate**. Duplicate licenses **or certificates** shall be issued without additional charge to persons practicing in more than one location. Persons who allow their licenses to lapse [must pay] **shall submit** a reinstatement fee, and if the license has lapsed for more than a three-year period, the board [shall] **may** require reexamination.

2. The fees prescribed by section 345.051 and this section shall be exclusive, and notwithstanding any other provision of law, no municipality may require any person licensed [under the provisions of this chapter] **pursuant to the provisions of sections 345.010 to 345.080** to furnish any bond, pass any examination, or pay any license fee or occupational tax.

3. The board shall set the amount of the fees which [this chapter] **sections 345.010 to 345.080** authorizes and requires by rules and regulations promulgated pursuant to section 536.021, RSMo. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering [this chapter] **sections 345.010 to 345.080**.

345.065. 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to [this chapter] **sections 345.010 to 345.080** for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo. **As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefore, the date such action shall become effective and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.**

2. The [advisory commission] **board** may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by [this chapter] **sections 345.010 to 345.080** or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by [this chapter] **sections 345.010 to 345.080**;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated [under this chapter] **pursuant to sections 345.010 to 345.080**, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to [this chapter] **sections 345.010 to 345.080** or in obtaining permission to take any examination given or required pursuant to [this chapter] **sections 345.010 to 345.080**;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by [this chapter] **sections 345.010 to 345.080**;

(6) Violation of, or assisting or enabling any person to violate, any provision of [this chapter] **sections 345.010 to 345.080**, or of any lawful rule or regulation adopted pursuant to [this chapter] **sections 345.010 to 345.080**;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by [this chapter] **sections 345.010 to 345.080** granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by [this chapter] **sections 345.010 to 345.080** who is not registered and currently eligible to practice [under this chapter] **pursuant to sections 345.010 to 345.080**;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by [this chapter] **sections 345.010 to 345.080** or any rule promulgated [hereunder] **pursuant to sections 345.010 to 345.080**;

(13) Violation of any professional trust or confidence;

(14) Fraudulently or deceptively using a license [or]**,** provisional license **or registration**;

(15) Altering a license [or a]**,** provisional license **or registration**;

(16) Willfully making or filing a false report or record in the practice of speech-language pathology or audiology;

(17) Using or promoting or causing the use of any misleading, deceiving, improbable or untruthful advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia or any other representation;

(18) Falsely representing the use or availability of services or advice of a physician;

(19) Misrepresenting the applicant, licensee or holder by using the word doctor or any similar word, abbreviation or symbol if the use is not accurate or if the degree was not obtained from a regionally accredited institution;

(20) Committing any act of dishonorable, immoral or unprofessional conduct while engaging in the practice of speech-language pathology or audiology;

(21) Providing services or promoting the sale of devices, appliances or products to a person who cannot reasonably be expected to benefit from such services, devices, appliances or products.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed [five] **ten** years, or may suspend, for a period not to exceed three years, or revoke the license[, certificate, or permit] **or registration**.

4. The board may apply for relief by injunction, without bond, to restrain any person, partnership or corporation from engaging in any act or practice which constitutes an offense pursuant to [this chapter] **sections 345.010 to 345.080**. The [commission] **board** does not need to allege and prove that there is no adequate remedy at law to obtain an injunction. The members of the **board and the advisory** commission shall not be individually liable for applying for such relief.

[5. Any person who violates any provision of this chapter shall be guilty of a class B misdemeanor and, upon conviction thereof, shall be punished by a fine or by imprisonment, or both such fine and imprisonment.]

345.075. Any person who **practices or** holds himself **or herself** out to be a [speech pathologist,] speech-language pathologist, [or clinical] **speech-language pathology assistant or aid,** audiologist[, audiologist, hearing aid audiologist for financial consideration] **or audiology aide** without first having been licensed **or registered** is guilty of a class B misdemeanor and, upon conviction, shall be punished as provided by law. This section shall refer also to the use of the words "pathologist", "state-licensed clinic", "state registered", "state certified", "state approved", or any other term, abbreviation, or symbol when it would falsely give the impression that service is being provided by persons trained in medicine, speech-language pathology or audiology or that the licensee's service has been recommended by the state.

345.080. 1. There is hereby established an "Advisory Commission for Speech-Language Pathologists and [Clinical] Audiologists" which shall guide, advise and make recommendations to the board. The commission shall approve the examination required by section 345.050, and shall assist the board in carrying out the provisions of sections 345.010 to 345.075.

2. After August 28, [1995] **1997**, the commission shall consist of seven members, one of whom shall be a voting public member, appointed by the board of **registration for the** healing arts. Each member shall be a citizen of the United States and a resident of this state. Three members of the commission shall be licensed speech-language pathologists and three members of the commission shall be licensed [clinical] audiologists. The public member shall be at the time of appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated [under this chapter] **pursuant to sections 345.010 to 345.080** or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by [this chapter] **sections 345.010 to 345.080**, or an activity or organization directly related to any profession licensed or regulated [under this chapter] **pursuant to sections 345.010 to 345.080**. Members shall be appointed to serve three-year terms, except as provided in this subsection. Each member of the advisory commission for speech pathologists and clinical audiologists on August 28, 1995, shall

become a member of the advisory commission for speech-language pathologists and clinical audiologists and shall continue to serve until the term for which the member was appointed expires. **Each member of the advisory commission for speech-language pathologists and clinical audiologists on August 28, 1997, shall become a member of the advisory commission for speech-language pathologists and audiologists and shall continue to serve until the term for which the member was appointed expires.** The first public member appointed pursuant to this subsection shall be appointed for a two-year term and the one additional member appointed pursuant to this subsection shall be appointed for a full three-year term. No person shall be eligible for reappointment who has served as a member of the advisory commission for speech pathologists and [clinical] audiologists or as a member of the commission as established on August 28, 1995, for a total of six years. The membership of the commission shall reflect the differences in levels of education [and]**,** work experience **and geographic residence**.

3. No member of the commission shall be entitled to any compensation for the performance of the member's official duties, but each shall be reimbursed for necessary and actual expenses incurred in the performance of the member's official duties. All staff for the commission shall be provided by the board of **registration for the** healing arts.

4. The commission shall hold an annual meeting at which it shall elect from its membership a chairman and secretary. The commission may hold such additional meetings as may be required in the performance of its duties, provided that notice of every meeting [must] **shall** be given to each member at least ten days prior to the date of the meeting. A quorum of the commission shall consist of a majority of its members.

5. The board of **registration for the** healing arts may remove a commission member for misconduct, incompetency or neglect of the member's official duties after giving the member written notice of the charges against such member and an opportunity to be heard thereon."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, Page 85, Section 23, Line 25, by inserting after all of said line the following:

"**Section 24. 1. As used in sections 24 and 25 of this act, the following terms mean:**

(1) "Body piercing", the perforation of human tissue other than an ear for a nonmedical purpose;

(2) "Branding", a permanent mark made on human tissue by burning with a hot iron or other instrument;

(3) "Controlled substance", any substance defined in section 195.010, RSMo;

(4) "Minor", a person under the age of eighteen;

(5) "Tattoo", one or more of the following:

(a) An indelible mark made on the body of another person by the insertion of a pigment under the skin; or

(b) An indelible design made on the body of another person by production of scars other than by branding.

2. No person shall knowingly tattoo, brand or perform body piercing on a minor unless such person obtains the prior written informed consent of the minor's parent or legal guardian. The minor's parent or legal guardian shall execute the written informed consent required pursuant to this subsection in the presence of the person performing the tattooing, branding or body piercing on the minor, or in the presence of an employee or agent of such person. Any person who fraudulently misrepresents himself or herself as a parent is guilty of a class B misdemeanor.

3. A person shall not tattoo, brand or perform body piercing on another person if the other person is under the influence of intoxicating liquor or a controlled substance.

4. A person who violates this section is guilty of a misdemeanor and shall be fined not more than five hundred dollars. If there is a subsequent violation of this section within one year of the initial violation, such person shall be fined not less than five hundred dollars or more than one thousand dollars.

Section 25. 1. No practitioner of tattooing shall practice and no establishment in which tattoos are applied shall be operated without a license issued by the director of the department of economic development. The annual license fee for each practitioner and each establishment shall be seventy-five dollars.

2. The director of the department of economic development shall promulgate rules and regulations relative to the hygienic practice of tattooing and sanitary operations of tattoo establishments. Such rules and regulations

shall include:

(1) Standards of hygiene to be met and maintained by establishments and practitioners in order to receive and maintain a license for the practice of tattooing;

(2) Procedures to be used to grant, revoke or reinstate a license;

(3) Inspection of tattoo establishments; and

(4) Any other matter necessary to the administration of this section.

3. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, Page 72, Section 620.150, Line 22, by inserting immediately after said line the following:

"650.295. Any person certified by the department of natural resources as a certified backflow prevention assembly tester shall be eligible to be registered or licensed by any county, city, town, village or other political subdivision of this state to **install, replace,** test and repair a backflow prevention assembly pursuant to the practice of his trade within that political subdivision as long as he maintains state certification."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615, Page 25, Section 334.749, Line 40, by inserting after said line the following:

"334.820. 1. No person in the state of Missouri, unless such person holds a current and valid license issued pursuant to sections 334.800 to 334.930, shall:

(1) Provide the services of a respiratory care practitioner, unless such person is otherwise exempt pursuant to section 334.900; [and]

(2) Represent himself or herself as, or hold himself or herself out, to the public by any title or description including the words, respiratory therapist, respiratory therapy technician, or inhalation therapist, or as having any similar description; [and]

(3) Advertise as, or take any action that would imply or lead the public to believe that such person is, a legitimate provider of respiratory care.

2. Nothing in sections 334.800 to 334.930 shall be construed to authorize or permit a respiratory care practitioner to practice medicine. "; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, Page 1, In the Title, Line 4, by deleting the word and number "and 339.545" and inserting in lieu thereof the following: ", 339.545, 375.022 and 376.1075"; and

Further amend said bill, Page 1, In the Title, Line 8, by deleting the word "ninety-nine" and inserting in lieu thereof the following: "one hundred three"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word and number "and 339.545" and inserting in lieu thereof the following: ", 339.545, 375.022 and 376.1075"; and

Further amend said bill, Page 2, Section A, Line 6, by deleting the word "ninety-nine" and inserting in lieu thereof the following: "one hundred three"; and

Further amend said bill, Page 2, Section A, Line 15, by inserting after the number "339.855," the following: "375.022, 376.1075,"; and

Further amend said bill, Page 2, Section A, Line 16, by deleting the word and number "and 23" and inserting in lieu thereof the following: ", 23, 24 and 25"; and

Further amend said bill, Page 70, Section 339.855, Line 5, by inserting after all of said line the following:

"375.022. 1. Every insurance company authorized to provide or transact insurance in this state shall, within thirty working days of an appointment of an agent to act for such insurance company, notify the director of such appointment upon forms prescribed by the director. Each appointment will result in a ten-dollar fee. The company shall remit these fees to the department of insurance on a quarterly basis. **Such appointments may be made by appointing individual agents or by designating a licensed agency. The designation of an agency shall be deemed to appoint all agents listed by such agency pursuant to section 375.061 to act for the insurance company in the lines for which the agent is licensed and the agency is designated. Any additional agents listed by the agency pursuant to section 375.061 after the designation of the agency shall be deemed appointed for all companies with existing designations of the agency. The appointment of an agent pursuant to the provisions of this subsection shall terminate upon the agent's termination by or resignation from the agency, upon termination of the agency by the insurance company, or upon nonrenewal, suspension, surrender or revocation of the agent's license.** Every such insurance company shall notify the director within thirty working days of the termination of the appointment of any agent whether the termination is by action of the company or resignation of the agent. Each termination will result in a ten-dollar fee. When the cause of termination is for a reason that, [under] **pursuant to** the provisions of section 375.141, would permit the director to revoke, suspend or refuse to issue an agent's license, the notice shall state the cause and circumstances of the termination. The notice shall be filed promptly after termination and within such time as may be prescribed by an appropriate order or regulation of the director of the department of insurance. The director may prescribe the form upon which the notification is to be given. The director shall upon written request by the agent furnish to him **or her** a copy of all information obtained pursuant to this section.

2. Any information filed by an insurance company or obtained by the director pursuant to this section and any document, record or statement required by the director [under] **pursuant to** the provisions of this section shall be deemed confidential and absolutely privileged. There shall be no liability on the part of, and no cause of action shall arise against, any insurer, its agents or its authorized investigative sources or the director or [his] **the director's** authorized representatives in connection with any written notice required by this section made by them in good faith.

376.1075. As used in sections 376.1075 to 376.1095, the following terms mean:

(1) "Administrator", "third-party administrator" or "TPA", a person who directly or indirectly solicits or effects coverage of, underwrites, collects charges or premiums from, or adjusts or settles claims on residents of this state, or residents of another state from offices in this state, in connection with life or health insurance coverage, annuities, or workers' compensation except any of the following:

(a) An employer on behalf of its employees or the employees of one or more subsidiary or affiliated corporations of such employer;

(b) A union on behalf of its members;

(c) An insurance company which is either licensed in this state pursuant to the requirements of this chapter or chapter 379, RSMo;

(d) An insurer authorized to do insurance business in another state pursuant to similar laws, with respect to a policy lawfully issued and delivered in a state other than this state, when engaged in transacting the business of insurance as defined by this chapter and chapter 379, RSMo;

(e) A health service corporation, health maintenance organization or prepaid dental plan operating pursuant to the requirements of chapter 354, RSMo, when engaged in its duties of providing health care or dental services and indemnifying its members;

(f) A life or health agent or broker licensed in this state, whose activities are limited exclusively to the sale of insurance;

(g) A creditor on behalf of its debtors with respect to insurance covering a debt between the creditor and its debtors;

(h) A trust, its trustees, agents and employees acting thereunder, established in conformity with 29 U.S.C. 186;

(i) A trust exempt from taxation under section 501(a) of the Internal Revenue Code, its trustees, and employees acting thereunder;

(j) A custodian, its agents and employees acting pursuant to a custodian account which meets the requirements of section 401(f) of the Internal Revenue Code;

(k) A bank, credit union or other financial institution which is subject to supervision or examination by federal or state banking authorities;

(l) A credit card issuing company which advances for and collects premiums or charges from its credit card holders who have authorized it to do so, provided such company does not adjust or settle claims;

(m) A person who adjusts or settles claims in the normal course of his **or her** practice or employment as an attorney at law, and who does not collect charges or premiums in connection with life or health insurance coverage or annuities;

(n) An adjuster [licensed by this state] whose activities are limited to adjustment of claims **and who is either licensed by this state or working on behalf of a licensed workers' compensation insurer**;

(o) A person licensed as an insurance agent in this state, whose activities are limited exclusively to the activities of a managing general agent;

(2) "Affiliate" or "affiliated", any entity or person who directly or indirectly through one or more intermediaries, controls or is controlled by, or is under common control with, a specified entity or person;

(3) "Control", as defined in chapter 382, RSMo;

(4) "Director", the director of the department of insurance;

(5) "Insurance" or "insurance coverage", any coverage offered or provided by an insurer;

(6) "Insurer", any person undertaking to provide life or health insurance coverage, annuities or workers' compensation coverage in this state. For the purposes of sections 376.1075 to 376.1095, insurer includes a licensed insurance company, a prepaid hospital or medical care plan, a health maintenance organization, a multiple employer self-insured health plan, a self-insured multiple employer welfare arrangement, or any other person providing a plan of insurance subject to state insurance regulation. Insurer does not include a bona fide employee benefit plan established by an employer or an employee organization, or both, for which the insurance laws of this state are preempted pursuant to the Employee Retirement Income Security Act of 1974;

(7) "Underwrites" or "underwriting" means, but is not limited to, the acceptance of employer or individual applications for coverage of individuals in accordance with the written rules of the insurer, the overall planning and coordinating of an insurance program, and the ability to procure bonds and excess insurance."; and

Further amend said bill, Page 85, Section 23, Line 25, by inserting after all of said line the following:

"**Section 24. For a broker or agent licensed pursuant to chapter 375, RSMo, the director of the department of insurance may change such broker's or agent's anniversary date of issuance one time to coincide with the anniversary date for that broker's or agent's license.**

Section 25. The director shall waive the examination for a person applying for a broker's license if such person has had a resident agent's license in more than one line of insurance for at least five years immediately preceding the time of application for a broker's license and is a resident of the state of Missouri at the time of application.".

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bill Nos. 1094, 1213, 1311 & 1428, Page 17, Section 329.140, Lines 75-79, by striking all of said lines.

Senate Amendment No. 9

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bill Nos. 1094, 1213, 1311 & 1428, Page 85, Section 23, Line 25, by inserting after said line:

"Section 24. **Each ambulance, when in use as an ambulance, shall be staffed with a minimum of one emergency medical technician and one other crew member as set forth in rules adopted by the department. When transporting a patient, at least one licensed emergency medical technician, registered nurse, or physician shall be in attendance with the patient in the patient compartment at all times.**;

further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bill Nos. 1094, 1213, 1311 & 1428, Page 13, Section 324.265, Line 11, by striking all of said line and inserting in lieu thereof the following: "**the coordinating board for higher education. The five hundred hours shall consist of**"; and further amend line 32, by striking the words "board of" and inserting in lieu thereof the following: "**coordinating board for**".

Senate Amendment No. 12

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bill Nos. 1094, 1213, 1311 & 1428, Page 8, Section 324.225, Line 7, by inserting immediately after all of said line the following:

"**324.228. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated by the division of professional registration to administer and enforce sections 324.200 to 324.225, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.**"; and

Further amend said bill, Page 10, Section 324.245, Line 14, by inserting immediately after all of said line the following:

"**3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated to administer and enforce sections 324.240 to 324.275, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.**"; and

Further amend said bill, Page 17, Section 329.140, Line 79, by inserting immediately after all of said line the following:

"329.210. 1. The board shall have power to:

(1) Prescribe by rule for the examinations of applicants for licensure to practice the classified occupation of cosmetology and issue licenses;

(2) Prescribe by rule for the inspection of cosmetology establishments and schools and appoint the necessary inspectors and examining assistants;

(3) Prescribe by rule for the inspection of establishments and schools of cosmetology by persons licensed in cosmetology as to their sanitary conditions and to appoint the necessary inspectors and, if necessary, examining assistants; and set the amount of the fees which this chapter authorizes and requires, by rules and regulations promulgated pursuant to section 536.021, RSMo. The fees shall be set at a level sufficient to produce revenue which shall not substantially exceed the cost and expense of administering this chapter;

(4) Employ and remove board personnel, as defined in subdivision (4) of subsection 15 of section 620.010, RSMo, as may be necessary for the efficient operation of the board, within the limitations of its appropriation;

(5) Elect one of its members president, one vice president and one secretary; and

(6) Determine the sufficiency of the qualifications of applicants.

2. The board shall create no expense exceeding the sum received from time to time from fees imposed pursuant to this chapter.

3. [No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.] **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority of this chapter, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.**"; and

Further amend said bill, Page 18, Section 330.010, Line 27, by inserting immediately after all of said line the following:

"330.045. Every applicant for a permanent license as a podiatrist shall provide the state board of podiatry with satisfactory evidence of having successfully completed such post-graduate training in hospitals and such other clinical and surgical settings as the board may prescribe by rule. [No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.]

330.140. 1. The board shall elect one of its members president, one vice president, and one secretary. The board shall have the power to promulgate rules and regulations necessary to administer and enforce the provisions of this chapter and to adopt and use a common seal. The board shall create no expenses exceeding the sum received from time to time as fees provided by law.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to section 536.021, RSMo. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

[3. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.] **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority of this chapter, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.**"; and

Further amend said bill, Page 24, Section 334.742, Line 5, by inserting immediately after all of said line the following:

"334.743. [No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.] **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated to administer and enforce sections 334.735 to 334.749, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking**

authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act."; and

Further amend said bill, Page 37, Section 337.045, Line 69, by inserting immediately after all of said line the following:

"337.050. 1. There is hereby created and established a "State Committee of Psychologists", which shall consist of seven licensed psychologists and one public member. The state committee of psychologists existing on August 28, 1989, is abolished. Nothing in this section shall be construed to prevent the appointment of any current member of the state committee of psychologists to the new state committee of psychologists created on August 28, 1989.

2. Appointments to the committee shall be made by the governor upon the recommendations of the director of the department, upon the advice and consent of the senate. The department, prior to submitting nominations, shall solicit nominees from professional psychological associations and licensed psychologists in the state. The term of office for committee members shall be five years, and committee members shall not serve more than ten years. No person who has previously served on the committee for ten years shall be eligible for appointment. In making initial appointments to the committee, the governor shall stagger the terms of the appointees so that two members serve initial terms of two years, two members serve initial terms of three years, and two members serve initial terms of four years.

3. Each committee member shall be a resident of the state of Missouri for one year, shall be a United States citizen, and shall, other than the public member, have been licensed as a psychologist in this state for at least three years. Committee members shall reflect a diversity of practice specialties. To ensure adequate representation of the diverse fields of psychology, the committee shall consist of at least two psychologists who are engaged full time in the doctoral teaching and training of psychologists, and at least two psychologists who are engaged full time in the professional practice of psychology. In addition, the first appointment to the committee shall include at least one psychologist who shall be licensed on the basis of a master's degree who shall serve a full term of five years. Nothing in sections 337.010 to 337.090 shall be construed to prohibit full membership rights on the committee for psychologists licensed on the basis of a master's degree. If a member of the committee shall, during the member's term as a committee member, remove the member's domicile from the state of Missouri, then the committee shall immediately notify the director of the division, and the seat of that committee member shall be declared vacant. All such vacancies shall be filled by appointment of the governor with the advice and consent of the senate, and the member so appointed shall serve for the unexpired term of the member whose seat has been declared vacant.

4. The public member shall be at the time of the public member's appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated pursuant to sections 337.010 to 337.093 or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by sections 337.010 to 337.093, or an activity or organization directly related to any profession licensed or regulated pursuant to sections 337.010 to 337.093. The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.

5. The committee shall hold a regular annual meeting at which it shall select from among its members a chairperson and a secretary. A quorum of the committee shall consist of a majority of its members. In the absence of the chairperson, the secretary shall conduct the office of the chairperson.

6. Each member of the committee shall receive, as compensation, an amount set by the division not to exceed fifty dollars for each day devoted to the affairs of the committee and shall be entitled to reimbursement for necessary and actual expenses incurred in the performance of the member's official duties.

7. Staff for the committee shall be provided by the director of the department of economic development, through the director of the division of professional registration.

8. The governor may remove any member of the committee for misconduct, inefficiency, incompetency, or neglect of office.

9. In addition to the powers set forth elsewhere in sections 337.010 to 337.090, the division may adopt rules and regulations, not otherwise inconsistent with sections 337.010 to 337.090, to carry out the provisions of sections 337.010 to 337.090. No rule shall be adopted except in accordance with the procedures set forth in chapter 536, RSMo. The committee may promulgate, by rule, "Ethical Rules of Conduct" governing the practices of psychology which rules shall be based upon the ethical principles promulgated and published by the American Psychological Association.

10. [No rule or portion of a rule promulgated under the authority of sections 337.010 to 337.090 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.] **Any rule or**

portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated to administer and enforce sections 337.010 to 337.090, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.

11. The committee may sue and be sued in its official name, and shall have a seal which shall be affixed to all certified copies or records and papers on file, and to such other instruments as the committee may direct. All courts shall take judicial notice of such seal. Copies of records and proceedings of the committee, and of all papers on file with the division on behalf of the committee certified under the seal shall be received as evidence in all courts of record.

12. When applying for a renewal of a license pursuant to section 337.030, each licensed psychologist shall submit proof of the completion of at least forty hours of continuing education credit within the two-year period immediately preceding the date of the application for renewal of the license. The type of continuing education to be considered shall include, but not be limited to:

(1) Attending recognized educational seminars, the content of which are primarily psychological, as defined by rule;

(2) Attending a graduate level course at a recognized educational institution where the contents of which are primarily psychological, as defined by rule;

(3) Presenting a recognized educational seminar, the contents of which are primarily psychological, as defined by rule;

(4) Presenting a graduate level course at a recognized educational institution where the contents of which are primarily psychological, as defined by rule; and

(5) Independent course of studies, the contents of which are primarily psychological, which have been approved by the committee and defined by rule. The committee shall determine by administrative rule the amount of training, instruction, self instruction or teaching that shall be counted as an hour of continuing education credit."; and

Further amend said bill, Page 56, Section 339.532, Line 95, by inserting immediately after all of said line the following:

"**339.544. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated by the commission to administer and enforce sections 339.500 to 339.549, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.**"; and

Further amend said bill, Page 70, Section 339.830, Line 6, by inserting immediately after all of said line the following:

"339.850. [The commission shall adopt and promulgate rules and regulations to carry out sections 339.710 to 339.860. No rule or portion of a rule promulgated pursuant to the authority of sections 339.710 to 339.860 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.] **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated to administer and enforce sections 339.710 to 339.860, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to**

repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act."; and

Further amend said bill, Page 70, Section 339.855, Line 5, by inserting immediately after the word "severable" the following: "**; however nothing in this section shall be construed to affect the nonseverable grant of rulemaking authority in section 339.850**"; and

Further amend said bill, Page 76, Section 5, Lines 9-12, by striking all of said lines and inserting in lieu thereof the following: "**as are necessary to administer the provisions of sections 1 to 14 of this act. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated to administer and enforce sections 1 to 14 of this act, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.**"; and

Further amend said bill, Page 82, Section 17, Lines 31-33, by striking all of said lines and inserting in lieu thereof the following:

"**5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated to administer and enforce sections 15 to 23 of this act, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 13

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, Section 324.200.2. (6), Page 2, Line 18, following the word "therapies." to include the following:

"***Medical nutrition therapy shall not be construed to permit a licensed dietitian to diagnose any medical condition, nor shall medical nutrition therapy be construed to permit a licensed dietitian to treat illness or injury except upon the referral of a physician licensed pursuant to Chapter 334, RSMo.***"

Senate Amendment No. 14

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, Page 37, Section 337.045, Line 69, by inserting immediately after said line the following:

"338.055. 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required

by this chapter or any person who has failed to renew or has surrendered his certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged incapacitated by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Violation of the drug laws or rules and regulation of this state, any other state or the federal government;

(16) The intentional act of substituting or otherwise changing the content, formula or brand of any drug prescribed by written or oral prescription without prior written or oral approval from the prescriber for the respective change in each prescription; provided, however, that nothing contained herein shall prohibit a pharmacist from substituting or changing the brand of any drug as provided under section 338.056, and any such substituting or changing of the brand of any drug as provided for in section 338.056 shall not be deemed unprofessional or dishonorable conduct unless a violation of section 338.056 occurs.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit. ***The board may impose additional discipline on a licensee, registrant or permittee found to have violated any disciplinary terms previously imposed under this section or by agreement. The additional discipline may include, singly or in combination, censure, placing the licensee, registrant or permittee named in the compliant on additional probation on such terms and conditions as the board deems appropriate, which additional probation shall not exceed five years, or suspension for a period not to exceed three years, or revocation of the license, certificate or permit.***

4. If the board concludes that a pharmacist has committed an act or is engaging in a course of conduct which would be grounds for disciplinary action which constitutes a clear and present danger to the public health and safety, the board may file a complaint before the administrative hearing commission requesting an expedited hearing and specifying the activities which give rise to the danger and the nature of the proposed restriction or suspension of the pharmacist's license. Within fifteen days after service of the complaint on the

pharmacist, the administrative hearing commission shall conduct a preliminary hearing to determine whether the alleged activities of the pharmacist appear to constitute a clear and present danger to the public health and safety which justify that the pharmacist's license be immediately restricted or suspended. The burden of proving that a pharmacist is a clear and present danger to the public health and safety shall be upon the state board of pharmacy. The administrative hearing commission shall issue its decision immediately after the hearing and shall either grant to the board the authority to suspend or restrict the license or dismiss the action.

5. If the administrative hearing commission grants temporary authority to the board to restrict or suspend the pharmacist's license, such temporary authority of the board shall become final authority if there is no request by the pharmacist for a full hearing within thirty days of the preliminary hearing. The administrative hearing commission shall, if requested by the pharmacist named in the complaint, set a date to hold a full hearing under the provisions of chapter 621, RSMo, regarding the activities alleged in the initial complaint filed by the board.

6. If the administrative hearing commission dismisses the action filed by the board pursuant to subsection 4 of this section, such dismissal shall not bar the board from initiating a subsequent action on the same grounds."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 15

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, Page 85, Section 23, Line 23, by inserting immediately after said line the following:

*"**20. Nothing in sections 190.001 to 190.245, or any regulations promulgated pursuant to sections 190.001 to 190.245, shall be construed to authorize or require the provision of emergency service or medical treatment to any person who objects thereto on religious grounds, or to authorize or require the transportation of such person to any hospital or health care facility; provided further, nothing in such sections or regulations shall be construed to prohibit an ambulance service from transporting a person to such hospital, health care facility or institution for the care and treatment of the sick operated by and for those who rely on spiritual means alone for healing in accordance with the creed or tenets of a recognized church or religious denomination, as that person may choose.**".*

Senate Amendment No. 16

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, Page 85, Section 23, Line 25, by inserting immediately after said line the following:

*"**Section 1. Sections 1 to 11 of this act apply to all group and individual life insurance policies and certificates except:***

(1) Variable life insurance;

(2) Individual and group annuity contracts;

(3) Credit life insurance;

(4) Policies written by a company with less than twenty-five million dollars in annual direct written life insurance premiums;

(5) Life insurance policies with no illustrated death benefits on any individual exceeding ten thousand dollars;

(6) Life insurance policies containing guaranteed elements exclusively; or

(7) Single premium policies.

Section 2. As used in sections 1 to 11 of this act, the following terms shall mean:

(1) "Actuarial standards board", the board established by the American Academy of Actuaries to develop and promulgate standards of actuarial practice;

(2) "Contract premium", the gross premium that is required to be paid under a fixed premium policy, including the premium for a rider for which benefits are shown in the illustration;

(3) "Currently payable scale", a scale of nonguaranteed elements in effect for a policy form as of the preparation date of the illustration or declared to become effective within the next ninety-five days;

(4) "Disciplined current scale", a scale of nonguaranteed elements constituting a limit on illustrations currently being illustrated by an insurer that is reasonably based on actual recent historical experience, as certified annually by an illustration actuary designated by the insurer. Further guidance in determining the disciplined current scale as contained in standards established by the actuarial standards board may be relied upon if the standards:

(a) Are consistent with sections 1 to 11 of this act;

(b) Limit a disciplined current scale to reflect only actions that have already been taken or events that have already occurred;

(c) Do not permit a disciplined current scale to include any projected trends of improvements in experience or any assumed improvements in experience beyond the illustration date; and

(d) Do not permit assumed expenses to be less than minimum assumed expenses;

(5) "Generic name", a short title descriptive of the policy being illustrated such as "whole life", "term life" or "flexible premium adjustable life";

(6) "Guaranteed elements", the premiums, benefits, values, credits or charges under a policy of life insurance that are guaranteed and determined at issue;

(7) "Illustrated scale", a scale of nonguaranteed elements currently being illustrated that is not more favorable to the policy owner than the lesser of:

(a) The disciplined current scale; or

(b) The currently payable scale;

(8) "Illustration", a presentation or depiction that includes nonguaranteed elements of a policy of life insurance over a period of years and that is one of the three types defined below:

(a) "Basic illustration", a ledger or proposal used in the sale of a life insurance policy that shows both guaranteed and nonguaranteed elements;

(b) "Supplemental illustration", an illustration furnished in addition to a basic illustration that meets the applicable requirements of sections 1 to 11 of this act, and that may be presented in a format differing from the basic illustration, but may only depict a scale of nonguaranteed elements that is permitted in a basic illustration;

(c) "In force illustration", an illustration furnished at any time after the policy that it depicts has been in force for one year or more;

(9) "Illustration actuary", an actuary meeting the requirements of section 9 of this act who certifies to illustrations based on the standard practice promulgated by the actuarial standards board;

(10) "Lapse-supported illustration", an illustration of a policy form failing the test of self-supporting illustration as defined in subdivision (16) of this section, under a modified persistency rate assumption using persistency rates underlying the disciplined current scale for the first five years and one hundred percent policy persistency thereafter;

(11) "Minimum assumed expenses", the minimum expenses that may be used in the calculation of the disciplined current scale for a policy form. The insurer may choose to designate each year the method of determining assumed expenses for all policy forms from the following:

(a) Fully allocated expenses;

(b) Marginal expenses; and

(c) A generally recognized expense table on fully allocated expenses representing a significant portion of insurance companies and approved by the National Association of Insurance Commissioners.

Marginal expenses may be used only if greater than a generally recognized expense table. If no generally recognized expense table is approved, fully allocated expenses shall be used;

(12) "Nonguaranteed elements", the premiums, benefits, values, credits or charges under a policy of life insurance that are not guaranteed or not determined at issue;

(13) "Nonterm group life", a group policy or individual policies of life insurance issued to members of an employer group or other permitted group where:

(a) Every plan of coverage was selected by the employer or other group representative;

(b) Some portion of the premium is paid by the group or through payroll deduction; and

(c) Group underwriting or simplified underwriting is used;

(14) "Policy owner", the owner named in the policy or the certificate holder in the case of a group policy;

(15) "Premium outlay", the amount of premium assumed to be paid by the policy owner or other premium payer out-of-pocket;

(16) "Self-supporting illustration", an illustration of a policy form for which it can be demonstrated that, when using experience assumptions underlying the disciplined current scale, for all illustrated points in time on or after the fifteenth policy anniversary or the twentieth policy anniversary for second-or-later-to-die policies, or upon policy expiration if sooner, the accumulated value of all policy cash flows equals or exceeds the total policy owner value available. For this purpose, policy owner value shall include cash surrender values and any other illustrated benefit amounts available at the policy owner's election.

Section 3. 1. Each insurer marketing policies to which sections 1 to 11 of this act are applicable shall notify the director of the department of insurance whether a policy form is to be marketed with or without an illustration. For all policy forms being actively marketed on August 28, 1998, the insurer shall identify in writing those forms and whether or not an illustration will be used with them. For policy forms filed after August 28, 1998, the identification shall be made at the time of filing. Any previous identification may be changed by notice to the director of the department of insurance.

2. If the insurer identifies a policy form as one to be marketed without an illustration, any use of an illustration for any policy using that form prior to the first policy anniversary is prohibited.

3. If a policy form is identified by the insurer as one to be marketed with an illustration, a basic illustration prepared and delivered in accordance with sections 1 to 11 of this act is required, except that a basic illustration need not be provided to individual members of a group or to individuals insured under multiple lives coverage issued to a single applicant unless the coverage is marketed to these individuals. The illustration furnished an applicant for a group life insurance policy or policies issued to a single applicant on multiple lives may be either an individual or composite illustration representative of the coverage on the lives of members of the group or the multiple lives covered.

4. Potential enrollees of nonterm group life subject to sections 1 to 11 of this act shall be furnished a quotation with the enrollment materials. The quotation shall show potential policy values for sample ages and policy years on a guaranteed and nonguaranteed basis appropriate to the group and the coverage. This quotation shall not be considered an illustration for purposes of sections 1 to 11 of this act, but all information provided shall be consistent with the illustrated scale. A basic illustration shall be provided at delivery of the certificate to enrollees for nonterm group life who enroll for more than the minimum premium necessary to provide pure death benefit protection. In addition, the insurer shall make a basic illustration available to any nonterm group life enrollee who requests it.

Section 4. 1. An illustration used in the sale of a life insurance policy shall satisfy the applicable requirements of sections 1 to 11 of this act, be clearly labeled "life insurance illustration" and contain the following basic information:

(1) Name of insurer;

(2) Name and business address of producer or insurer's authorized representative, if any;

(3) Name, age and sex of proposed insured, except where a composite illustration is permitted pursuant to sections 1 to 11 of this act;

(4) Underwriting or rating classification upon which the illustration is based;

(5) Generic name of policy, the company product name, if different, and form number;

(6) Initial death benefit; and

(7) Dividend option election or application of nonguaranteed elements, if applicable.

2. When using an illustration in the sale of a life insurance policy, an insurer or its producers or other authorized representatives shall not:

(1) Represent the policy as anything other than a life insurance policy;

(2) Use or describe nonguaranteed elements in a manner that is misleading or has the capacity or tendency to mislead;

(3) State or imply that the payment or amount of nonguaranteed elements is guaranteed;

(4) Use an illustration that does not comply with the requirements of sections 1 to 11 of this act;

(5) Use an illustration that at any policy duration depicts policy performance more favorable to the policy owner than that produced by the illustrated scale of the insurer whose policy is being illustrated;

(6) Provide an applicant with an incomplete illustration;

(7) Represent in any way that premium payments will not be required for each year of the policy in order to maintain the illustrated death benefits, unless that is the fact;

(8) Use the term "vanish" or "vanishing premium", or a similar term that implies the policy becomes paid up, to describe a plan for using nonguaranteed elements to pay a portion of future premiums;

(9) Except for policies that can never develop nonforfeiture values, use an illustration that is "lapse-supported"; or

(10) Use an illustration that is not "self-supporting".

3. If an interest rate used to determine the illustrated nonguaranteed elements is shown, it shall not be greater than the earned interest rate underlying the disciplined current scale.

Section 5. 1. A basic illustration shall conform with the following requirements:

(1) The illustration shall be labeled with the date on which it was prepared;

(2) Each page, including any explanatory notes or pages, shall be numbered and show its relationship to the total number of pages in the illustration;

(3) The assumed dates of payment receipt and benefit pay-out within a policy year shall be clearly identified;

(4) If the age of the proposed insured is shown as a component of the tabular detail, it shall be issue age plus the numbers of years the policy is assumed to have been in force;

(5) The assumed payments on which the illustrated benefits and values are based shall be identified as premium outlay or contract premium, as applicable. For policies that do not require a specific contact premium, the illustrated payments shall be identified as premium outlay;

(6) Guaranteed death benefits and values available upon surrender, if any, for the illustrated premium outlay or contract premium shall be shown and clearly labeled guaranteed;

(7) If the illustration shows any nonguaranteed elements, they cannot be based on a scale more favorable to the policy owner than the insurer's illustrated scale at any duration. These elements shall be clearly labeled nonguaranteed;

(8) The guaranteed elements, if any, shall be shown before corresponding nonguaranteed elements and shall be specifically referred to on any page of an illustration that shows or describes only the nonguaranteed elements;

(9) The account or accumulation value of a policy, if shown, shall be identified by the name this value is given in the policy being illustrated and shown in close proximity to the corresponding value available upon surrender;

(10) The value available upon surrender shall be identified by the name this value is given in the policy being illustrated and shall be the amount available to the policy owner in a lump sum after deduction of surrender charges, policy loans and policy loan interest as applicable;

(11) Illustrations may show policy benefits and values in graphic or chart form in addition to the tabular form;

(12) Any illustration of nonguaranteed elements shall be accompanied by a statement indicating that:

(a) The benefits and values are not guaranteed;

(b) The assumptions on which they are based subject to change by the insurer; and

(c) Actual results may be more or less favorable;

(13) If the illustration shows that the premium payer may have the option to allow policy charges to be paid using nonguaranteed values, the illustration shall clearly disclose that a charge continues to be required and that, depending on actual results, the premium payer may need to continue or resume premium outlays. Similar disclosure shall be made for premium outlay of lesser amounts or shorter durations than the contract premium. If a contract premium is due, the premium outlay display shall not be left blank or show zero unless accompanied by an asterisk or similar mark to draw attention to the fact that the policy is not paid up;

(14) If the applicant plans to use dividends or policy values, guaranteed or nonguaranteed, to pay all or a portion of the contract premium or policy charges, or for any other purpose, the illustration may reflect those plans and the impact on future policy benefits and values.

2. A basic illustration shall include the following:

(1) A brief description of the policy being illustrated, including a statement that it is a life insurance policy;

(2) A brief description of the premium outlay or contract premium, as applicable, for the policy. For a policy that does not require payment of a specific contract premium, the illustration shall show the premium outlay that shall be paid to guarantee coverage for the term of the contract, subject to maximum premiums allowable to qualify as a life insurance policy pursuant to the applicable provisions of the Internal Revenue Code;

(3) A brief description of any policy features, riders or options, guaranteed or nonguaranteed, shown in the basic illustration and the impact they may have on the benefits and values of the policy;

(4) Identification and a brief definition of column headings and key terms used in the illustration; and

(5) A statement containing in substance the following: "This illustration assumes that the currently illustrated nonguaranteed elements will continue unchanged for all years shown. This is not likely to occur, and actual results may be more or less favorable than those shown.".

3. Following the narrative summary, a basic illustration shall include a numeric summary of the death benefits and values and the premium outlay and contract premium, as applicable. For a policy that provides for a contract premium, the guaranteed death benefits and values shall be based on the contract premium. This summary shall be shown for at least policy years five, ten and twenty and at age seventy, if applicable, on the three bases shown in subdivisions (1) to (3) of this subsection. For multiple life policies the summary shall show policy years five, ten, twenty and thirty.

(1) Policy guarantees;

(2) Insurer's illustrated scale;

(3) Insurer's illustrated scale used but with the nonguaranteed elements reduced as follows:

(a) Dividends at fifty percent of the dividends contained in the illustrated scale used;

(b) Nonguaranteed credited interest at rates that are the average of the guaranteed rates and the rates contained in the illustrated scale used; and

(c) All nonguaranteed charges, including but not limited to, term insurance charges, mortality and expense charges, at rates that are the average of the guaranteed rates and the rates contained in the illustrated scale used.

In addition, if coverage would cease prior to policy maturity or age one hundred, the year in which coverage ceases shall be identified for each of the three bases.

4. Statements substantially similar to the following shall be included on the same page as the numeric summary and signed by the applicant, or the policy owner in the case of an illustration provided at time of delivery, as required in sections 1 to 11 of this act:

(1) A statement to be signed and dated by the applicant or policy owner reading as follows: "I have received a copy of this illustration and understand that any nonguaranteed elements illustrated are subject to change and could be either higher or lower. The agent has told me they are not guaranteed."; and

(2) A statement to be signed and dated by the insurance producer or other authorized representative of the insurer reading as follows: "I certify that this illustration has been presented to the applicant and that I have explained that any nonguaranteed elements illustrated are subject to change. I have made no statements that are inconsistent with the illustration.".

5. (1) A basic illustration shall include the following for at least each policy year from one to ten and for every fifth policy thereafter ending at age one hundred, policy maturity or final expiration; and except for term insurance beyond the twentieth year, for any year in which the premium outlay and contract premium, if applicable, is to change:

(a) The premium outlay and mode the applicant plans to pay and the contract premium, as applicable;

(b) The corresponding guaranteed death benefit, as provided in the policy; and

(c) The corresponding guaranteed value available upon surrender, as provided in the policy.

(2) For a policy that provides for a contract premium, the guaranteed death benefit and value available upon surrender shall correspond to the contract premium.

(3) Nonguaranteed elements may be shown if described in the contract. In the case of an illustration for a policy on which the insurer intends to credit terminal dividends, they may be shown if the insurer's current practice is to pay terminal dividends. If any nonguaranteed elements are shown, they shall be shown at the same durations as the corresponding guaranteed elements, if any. If no guaranteed benefit or value is available at any duration for which a nonguaranteed benefit or value is shown, a zero shall be displayed in the guaranteed column.

Section 6. 1. A supplemental illustration may be provided so long as:

(1) It is appended to, accompanied by or preceded by a basic illustration that complies with sections 1 to 11 of this act;

(2) The nonguaranteed elements shown are not more favorable to the policy owner than the corresponding elements based on the scale used in the basic illustration;

(3) It contains the same statement required of a basic illustration that nonguaranteed elements are not guaranteed; and

(4) For a policy that has a contract premium, the contract premium underlying the supplemental illustration is equal to the contract premium shown in the basic illustration. For policies that do not require a contract premium, the premium outlay underlying the supplemental illustration shall be equal to the premium outlay shown in the basic illustration.

2. The supplemental illustration shall include a notice referring to the basic illustration for guaranteed elements and other important information.

Section 7. 1. (1) If a basic illustration is used by an insurance producer or other authorized representative of the insurer in the sale of a life insurance policy and the policy is applied for as illustrated, a copy of that illustration, signed in accordance with sections 1 to 11 of this act, shall be submitted to the insurer at the time of policy application. A copy also shall be provided to the applicant.

(2) If the policy is issued other than as applied for, a revised basic illustration conforming to the policy as issued shall be sent with the policy. The revised illustration shall conform to the requirements of sections 1 to 11 of this act, shall be labeled "Revised Illustration" and shall be signed and dated by the applicant or policy owner and producer or other authorized representative of the insurer no later than the time the policy is delivered. A copy shall be provided to the insurer and the policy owner.

2. (1) If no illustration is used by an insurance producer or other authorized representative in the sale of a life insurance policy or if the policy is applied for other than as illustrated, the producer or representative shall certify to that effect in writing on a form provided by the insurer. On the same form the applicant shall acknowledge that no illustration conforming to the policy applied for was provided and shall further acknowledge an understanding that an illustration conforming to the policy as issued will be provided no later than at the time of policy delivery. This form shall be submitted to the insurer at the time of policy application.

(2) If the policy is issued, a basic illustration conforming to the policy as issued shall be sent with the policy and signed no later than the time the policy is delivered. A copy shall be provided to the insurer and the policy owner.

3. If the basic illustration or revised illustration is sent to the applicant or policy owner by mail from the insurer, it shall include instructions for the applicant or policy owner to sign the duplicate copy of the numeric summary page of the illustration for the policy issued and return the signed copy to the insurer. The insurer's obligation pursuant to this subsection shall be satisfied if it can demonstrate that it has made a diligent effort to secure a signed copy of the numeric summary page. The requirement to make a diligent effort shall be deemed satisfied if the insurer includes in the mailing a self-addressed postage prepaid envelope with instructions for the return of the signed numeric summary page.

4. A copy of the basic illustration and a revised basic illustration, if any, signed as applicable, along with any certification that either no illustration was used or that the policy was applied for other than as illustrated, shall be retained by the insurer until three years after the policy is no longer in force. A copy need not be retained if no policy is issued.

Section 8. 1. In the case of a policy designated as one for which illustrations will be used, the insurer shall provide each policy owner with an annual report on the status of the policy that shall contain at least the following information:

(1) For universal life policies, the report shall include the following:

(a) The beginning and end date of the current report period;

(b) The policy value at the end of the previous report period and at the end of the current report period;

(c) The total amounts that have been credited or debited to the policy value during the current report period, identifying each by type (e.g., interest, mortality, expense and riders);

(d) The current death benefit at the end of the current report period on each life covered by the policy;

(e) The net cash surrender value of the policy as of the end of the current report period;

(f) The amount of outstanding loans, if any, as of the end of the current report period; and

(g) For fixed premium policies if, assuming guaranteed interest, mortality and expense loads and continued scheduled premium payments, the policy's net cash surrender value is such that it would not maintain insurance in force until the end of the next reporting period, a notice to this effect shall be included in the report; or

(h) For flexible premium policies if, assuming guaranteed interest, mortality and expense loads, the policy's net cash surrender value will not maintain insurance in force until the end of the next reporting period unless further premium payments are made, a notice to this effect shall be included in the report.

(2) For all other policies, where applicable:

(a) Current death benefit;

(b) Annual contract premium;

(c) Current cash surrender value;

(d) Current dividend;

(e) Application of current dividend; and

(f) Amount of outstanding loan.

(3) Insurers writing life insurance policies that do not build nonforfeiture values shall only be required to provide an annual report with respect to these policies for those years when a change has been made to nonguaranteed policy elements by the insurer.

2. If the annual report does not include an in-force illustration, it shall contain the following notice displayed prominently: "IMPORTANT POLICY OWNER NOTICE: You should consider requesting more detailed information about your policy to understand how it may perform in the future. You should not consider replacement of your policy or make changes in your coverage without requesting a current illustration. You may annually request, without charge, such an illustration by calling . . . . . (insurer's phone number), writing to . . . . . (insurer's name) at . . . . . (insurer's address) or contacting your agent. If you do not receive a current illustration of your policy within thirty days from your request, you should contact your state insurance department." The insurer may vary the sequential order of the methods for obtaining an in-force illustration.

3. Upon the request of the policy owner, the insurer shall furnish an in-force illustration of current and future benefits and values based on the insurer's present illustrated scale. This illustration shall comply with the requirements of subsections 1 and 2 of section 4 of this act and subsections 1 and 5 of section 5 of this act. No signature or other acknowledgement of receipt of this illustration shall be required.

4. If an adverse change in nonguaranteed elements that could affect the policy has been made by the insurer since the last annual report, the annual report shall contain a notice of that fact and the nature of the change prominently displayed.

Section 9. 1. The board of directors of each insurer shall appoint one or more illustration actuaries.

2. The illustration actuary shall certify that the disciplined current scale used in illustrations is in conformity with the actuarial standard of practice for compliance with the NAIC model regulation of life insurance illustrations promulgated by the actuarial standards board, and that the illustrated scales used in insurer-authorized illustrations meet the requirements of sections 1 to 11 of this act.

3. The illustration actuary shall:

(1) Be a member in good standing of the American Academy of Actuaries;

(2) Be familiar with the standard of practice regarding life insurance policy illustrations;

(3) Not have been found by the director of the department of insurance, following appropriate notice and hearing to have:

(a) Violated any provision of, or any obligation imposed by, the insurance law or other law in the course of his or her dealings as an illustration actuary;

(b) Been found guilty of fraudulent or dishonest practices;

(c) Demonstrated his or her incompetence, lack of cooperation, or untrustworthiness to act as an illustration actuary; or

(d) Resigned or been removed as an illustration actuary within the past five years as a result of acts or omissions indicated in any adverse report on examination or as a result of a failure to adhere to generally acceptable actuarial standards;

(4) Not fail to notify the director of the department of insurance of any action taken by a commissioner or director of insurance of another state similar to that pursuant to subdivision (3) of this subsection;

(5) Disclose in the annual certification whether, since the last certification, a currently payable scale applicable for business issued within the previous five years and within the scope of the certification has been reduced for reasons other than changes in the experience factors underlying the disciplined current scale. If nonguaranteed elements illustrated for new policies are not consistent with those illustrated for similar in-force policies, this shall be disclosed in the annual certification. If nonguaranteed elements illustrated for both new and in-force policies are not consistent with the nonguaranteed elements actually being paid, charged or credited to the same or similar forms, this shall be disclosed in the annual certification; and

(6) Disclose in the annual certification the method used to allocate overhead expenses for all illustrations:

(a) Fully allocated expenses;

(b) Marginal expenses; or

(c) A generally recognized expense table based on fully allocated expenses representing a significant portion of insurance companies and approved by the director of the department of insurance.

4. (1) The illustration actuary shall file a certification with the board and with the director of the department of insurance:

(a) Annually for all policy forms for which illustrations are used; and

(b) Before a new policy form is illustrated.

(2) If an error in a previous certification is discovered, the illustration actuary shall notify the board of directors of the insurer and the director of the department of insurance promptly.

5. If an illustration actuary is unable to certify the scale for any policy form illustration the insurer intends to use, the actuary shall notify the board of directors of the insurer and the director of the department of insurance promptly of his or her inability to certify.

6. A responsible officer of the insurer, other than the illustration actuary, shall certify annually:

(1) That the illustration formats meet the requirements of sections 1 to 11 of this act and that the scales used in insurer-authorized illustrations are those scales certified by the illustration actuary; and

(2) That the company has provided its agents with information about the expense allocation method used by the company in its illustrations and disclosed as required in subdivision (6) of subsection 3 of this section.

7. The annual certifications shall be provided to the director of the department of insurance each year by a date determined by the insurer.

8. If an insurer changes the illustration actuary responsible for all or a portion of the company's policy forms, the insurer shall notify the director of the department of insurance of that fact promptly and disclose the reason for the change.

Section 10. In addition to any other penalties provided by the laws of this state, an insurer or producer that violates a requirement of sections 1 to 11 of this act shall be guilty of an unfair trade practice pursuant to sections 375.930 to 375.948, RSMo.

Section 11. Sections 1 to 11 of this act shall only apply to policies governed by sections 1 to 11 of this act which are marketed after January 1, 1999.*"; and*

Further amend the title and enacting clause accordingly.

Senate Amendment No. 20

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, Page 25, Section 334.749, Line 40, by inserting after said line the following:

Section 1. The provisions of section 334.820, RSMo, shall not apply to the practice of respiratory therapy in a hospital as defined in section 197.020 RSMo, so long as the hospital is in compliance with the hospital licensing

regulation established pursuant to chapter 197 RSMo.

Senate Amendment No. 22

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, Page 78, Section 13, Line 19, by striking the words: "or authority, permit or license".

Senate Amendment No. 23

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, Page 72, Section 620.150, Line 22, by inserting immediately after said line the following:

"643.040. 1. There is created hereby an air pollution control agency to be known as the "Air Conservation Commission of the State of Missouri", whose domicile for the purposes of sections 643.010 to 643.190 is the department of natural resources of the state of Missouri. The commission shall consist of seven members appointed by the governor, with the advice and consent of the senate. No more than four of the members shall belong to the same political party and no two members shall be a resident of and domiciled in the same senatorial district. At the first meeting of the commission and at yearly intervals thereafter, the members shall select from among themselves a chairman and a vice chairman.

2. All members shall be representative of the general interest of the public and shall have an interest in and knowledge of air conservation and the effects and control of air contaminants. ***At least*** *three of such members[, but not more than three,] shall represent agricultural, industrial and labor interests, respectively. The governor shall not appoint any other person who has a substantial interest as defined in section 105.450, RSMo, in any business entity regulated under this chapter or any business entity which would be regulated under this chapter if located in Missouri. The commission shall establish rules of procedure which specify when members shall exempt themselves from participating in discussions and from voting on issues before the commission due to potential conflict of interest.*

3. The members' terms of office shall be four years and until their successors are selected and qualified, except that the terms of those first appointed shall be staggered to expire at intervals of one, two and three years after the date of appointment as designated by the governor at the time of appointment. There is no limitation of the number of terms any appointed member may serve. If a vacancy occurs the governor may appoint a member for the remaining portion of the unexpired term created by the vacancy. The governor may remove any appointed member for cause. The members of the commission shall be reimbursed for travel and other expenses actually and necessarily incurred in the performance of their duties.

4. The commission shall hold at least nine regular meetings each year and such additional regular meetings as the chairman deems desirable at a place and time to be fixed by the chairman. Special meetings may be called by three members of the commission upon delivery of written notice to each member of the commission. Reasonable written notice [to] ***of*** *all meetings shall be given to all members of the commission. Four members of the commission shall constitute a quorum. All powers and duties conferred upon members of the commission shall be exercised personally by the members and not by alternates or representatives. All actions of the commission shall be taken at meetings open to the public, except as provided in chapter 610, RSMo. Any member absent from four regular commission meetings per calendar year for any cause whatsoever shall be deemed to have resigned and the vacancy shall be filled immediately in accordance with subsection 1 and subsection 3 of this section."; and*

Further amend the title and enacting clause accordingly.

Senate Amendment No. 28

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, Page 38, Section 339.501, Line 35, by adding the following:

", except that no such lending agency or institution shall perform an appraisal on a property for the purpose of granting a loan to a third party when the lending agency or institution holds a mortgage on the property.".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on ***SCS HB 1683, as amended****: Senators Caskey, Scott, Schneider, Rohrbach and Bentley.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in ***HCS SS SB 910*** *, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on ***HS HCS SB 487, as amended****: Senators Goode, Clay, Mathewson, Childers and Westfall.*

CONFERENCE COMMITTEE REPORT

ON

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 739

Mr. President: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Committee Substitute for Senate Bill No. 739; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 739;

2. That the Senate recede from its position on Senate Bill No. 739;

3. That Conference Committee Substitute for House Committee Substitute for Senate Bill No. 739 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Stephen Stoll /s/ Bill McKenna

/s/ M. E. Johnson /s/ Danny Staples

/s/ Christopher Liese /s/ Ken Jacob

/s/ Mary Lou Sallee /s/ Roseann Bentley

/s/ Don Summers /s/ Morris Westfall

CONFERENCE COMMITTEE REPORT

ON

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1918

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Bill No. 1918, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 1918;

2. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1918;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1918 be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Don Lograsso /s/ Harold Caskey

/s/ Carol Stroker /s/ Ted House

/s/ Craig Hosmer /s/ Betty Sims

/s/ Luann Ridgeway /s/ Roseann Bentley

/s/ Lana Ladd Stokan /s/ Ronnie DePasco

CONFERENCE COMMITTEE REPORT

ON

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1161

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1161, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1161;

2. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1161, as amended;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1161 be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Gary Wiggins /s/ Wayne Goode

/s/ Randall Relford /s/ Joe Maxwell

/s/ Bill Ransdall /s/ Steve Ehlmann

/s/ Jim Howerton /s/ Ken Jacob

/s/ Larry Crawford /s/ Doyle Childers

CONFERENCE COMMITTEE REPORT

ON

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 809

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Bill No. 809, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 809;

2. That the Senate recede from its position on Senate Bill No. 809;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 809 be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Thomas Hoppe /s/ David Klarich

/s/ David L. Reynolds /s/ William Clay

/s/ May Scheve /s/ John E. Scott

/s/ David Levin /s/ Steve Ehlmann

/s/ Danny Staples

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, May 12, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-ninth Day, Friday, May 8, 1998, pages 1624 and 1625, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Pages 1626 and 1627, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

Pages 1627 and 1628, roll call, by showing Representative Hilgemann voting "aye" rather than "absent with leave".

Pages 1628 and 1629, roll call, by showing Representatives Campbell and Donovan voting "aye" rather than "absent with leave".

Pages 1628 and 1629, roll call, by showing Representative Hartzler (124) voting "no" rather than "absent with leave".

Page 1630, roll call, by showing Representative Bennett voting "aye" rather than "absent with leave".

Pages 1632, roll call, by showing Representative Bonner voting "aye" rather than "absent with leave".

Pages 1633, roll call, by showing Representative Bonner voting "aye" rather than "absent with leave".

Pages 1633 and 1634, roll call, by showing Representatives Bonner and Kennedy voting "aye" rather than "absent with leave".

Pages 1634 and 1635, roll call, by showing Representatives Bonner and Levin voting "aye" rather than "absent with leave".

Pages 1635 and 1636, roll call, by showing Representative Bonner voting "aye" rather than "absent with leave".

Pages 1636 and 1637, roll call, by showing Representatives Bonner, Hosmer, Kelly (27) and Naeger voting "aye" rather than "absent with leave".

Page 1637, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Pages 1638 and 1639, roll call, by showing Representatives Bonner and McClelland voting "aye" rather than "absent with leave".

Pages 1639 and 1640, roll call, by showing Representatives Bonner, Broach and McClelland voting "aye" rather than "absent with leave".

Pages 1640 and 1641, roll call, by showing Representatives Bonner, Franklin and McClelland voting "aye" rather than "absent with leave".

Page 1641, roll call, by showing Representatives Bonner, Franklin and Ladd Stokan voting "aye" rather than "absent with leave".

Pages 1642 and 1643, roll call, by showing Representatives Bonner, Lawson and Levin voting "aye" rather than "absent with leave".

Page 1643, roll call, by showing Representatives Bonner, Lawson and McClelland voting "aye" rather than "absent with leave".

Page 1644, roll call, by showing Representatives Bonner and Long voting "aye" rather than "absent with leave".

Pages 1644 and 1645, roll call, by showing Representative Bonner voting "aye" rather than "absent with leave".

Pages 1645 and 1646, roll call, by showing Representatives Barry, Bonner and Ladd Stokan voting "aye" rather than "absent with leave".

Pages 1646 and 1647, roll call, by showing Representative Bonner voting "aye" rather than "absent with leave".

Pages 1648 and 1649, roll call, by showing Representatives Kelley (47) and Ladd Stokan voting "aye" rather than "absent with leave".

Pages 1649 and 1650, roll call, by showing Representative Ladd Stokan voting "aye" rather than "absent with leave".

Pages 1651 and 1652, roll call, by showing Representative Ladd Stokan voting "aye" rather than "absent with leave".

Page 1652, roll call, by showing Representative Ladd Stokan voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Tuesday, May 12, 1998, 9:00 am. Hearing Room 9. Possible executive session on bills in budget.

To be considered - SB 709, SB 588, SB 657, SB 532

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, May 13, 1998, 9:00 am. Hearing Room 7. Executive session.

To be considered - HCR 29

HOUSE CALENDAR

Seventy-second Day, Tuesday, May 12, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

3 HJR 41 - Kelly (27)

4 HJR 31 - Graham (24)

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040,1554,1252,1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

13 HB 1871 - Bland

14 HCS HB 1139 - Green

15 HCS HB 1078 & 1568 - Van Zandt

16 HCS HB 1678 - Wiggins

17 HB 1689, HCA 1 - Murray

18 HCS HB 1163,1211,1225 & 1660 - Parker

19 HCS HB 1768 - Franklin

20 HB 1553, HCA 1 - Foley

21 HCS HB 988 - Boucher

22 HCS HB 925 - Johnson

23 HB 993 - Bray

24 HB 939 - Backer

25 HB 1028 - Kissell

26 HCS HB 1065,1180 & 1121 - Smith

27 HB 1634 - May (108)

28 HCS HB 1546, 1305 & 1275 - Scheve

29 HCS HB 1104 - Treadway

30 HCS HB 1034 - Campbell

31 HCS HB 1056,905,1538 & 1130 - Troupe

32 HCS HB 1067,1254,1358,1359,1370 & 1575 - Parker

33 HCS HB 1075 - Kreider

34 HCS HB 1127,1399,990 & 935 - May (108)

35 HCS HB 1135 & 991 - Luetkenhaus

36 HCS HB 1140 & 1329 - Green

37 HB 1199 - Treadway

38 HCS HB 1222 & 1347 - Farnen

39 HB 1231, HCA 1 - Dougherty

40 HB 1244, HCA 1 - Riback Wilson

41 HCS HB 1248,1461,1502,1529 & 1530 - Clayton

42 HCS HB 1327 - Reynolds

43 HCS HB 1361 - Treadway

44 HCS HB 1337 - Reinhart

45 HB 1603 - Champion

46 HCS HB 1297 & 1495 - Levin

47 HCS HB 1384, 982 & 954 - Stoll

48 HB 1394, HCA 1 - Dougherty

49 HB 1443 - May (108)

50 HB 1450 - Barry

51 HB 1467, HCA 1 - Champion

52 HCS HB 1618 & 953 - Thomason (163)

53 HCS HB 1628 - Seigfreid

54 HCS HB 1648 & 1709 - Crump

55 HB 1729 - Scheve

56 HB 1759, HCA 1 - Wiggins

57 HCS HB 942 - Long

58 HCS HB 1771 - Stoll

59 HCS HB 1774 - Lakin

60 HB 1922 - Berkstresser

61 HB 1855 - Hosmer

62 HB 1314 - Wiggins

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

3 HCS HB 1674, HS#2, as amended, pending, - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1124 - Days

3 HS HB 1796 - Harlan

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR THIRD READING

1 HCS SB 787 - Riback Wilson

2 HCS SB 615 - Treadway

3 HCS SB 827 - Rizzo

4 SB 743 - Hoppe

5 HCS SCS SB 614, 696, 906, 530, 912 & 914 - May (108)

6 HCS SB 680 - May (108)

7 HCS SB 936 - Bray

8 SCS SB 561, HCA 1 - Boucher

9 HCS SS SCS SB 583 & 645 - Thomason (163)

10 HCS SB 619 - Stoll

11 HCS SB 674 - Riback Wilson

12 HCS SS SB 792 - Liese

13 HCS SCS SB 922 - Luetkenhaus

14 HCS SCS SB 659 - Crump

15 HCS SS SCS SB 651 - Dougherty

16 HCS SB 629 - Shelton (57)

17 HCS SS SCS SB 596 - Leake

18 HCS SS SB 478 - Crump

19 HCS SS SCS SB 852 & 913 - Wannenmacher

20 SB 650 - Kelly (27)

21 HCS SCS SB 762 - McLuckie

22 HCS SS SCS SB 627, E.C. - Mays (50)

23 SB 925, E.C. - O'Toole

24 HCS SS SCS SB 754 - Carter

25 HCS SCS SB 813 & 864 - Thomason (163)

26 HCS SCS SB 532, 806 & 633, (Budget Fiscal 5-10-98) - Hosmer

27 SB 709, (Budget Fiscal 5-10-98) - Days

28 SB 588, (Budget Fiscal 5-10-98) - Fritts

29 HCS SCS SB 477 - McBride

30 HCS SB 734, E.C. - Smith

31 HCS SS SB 657, (Budget Fiscal 5-10-98) - O'Toole

32 HCS SCS SB 522, E.C. - Lakin

33 HCS SCS SB 625 - Hoppe

34 HCS SB 641, (Budget Fiscal 5-10-98) - Farnen

35 HCS SB 773 - Harlan

36 HCS SS SB 518 - Thomason (163)

37 HCS SB 800 - Hoppe

38 SCS SB 571 - Kelly (27)

39 HCS SB 745, (Budget Fiscal 5-10-98) - Farnen

40 HCS SCS SB 613, E.C. - Hoppe

41 HCS SB 689 - Riback Wilson

42 SCS SB 523, HCAs 1 & 2, E.C. - Lakin

43 HCS SCS SB 610 & 835 - Gaskill

44 SB 927 - Hosmer

45 SB 756 - McClelland

46 SCS SB 849 - Skaggs

47 HCS SB 908 - Gibbons

48 HCS SB 525 - Thomason (163)

49 SB 566 - Mays (50)

50 HCS SB 780, E.C. - Stoll

SENATE BILLS FOR THIRD READING - FEDERAL MANDATE

1 HCS SS SCS SB 771 & 687, E.C. (Budget Fiscal 5-11-98) - Dougherty

HOUSE BILLS WITH SENATE AMENDMENTS

1 SCS HB 1043 - Gross

2 SCS HB 1599 - Clayton

3 HB 1928, SA 1 - Parker

4 SCS HS HCS HB 1601, 1591, 1592, 1479, 1615 AND HCS HB 1094, 1213,

1311 & 1428, as amended - Treadway

BILLS CARRYING REQUEST MESSAGES

1 HS SS#2 SCS SB 632, a.a.(House refuse to grant conf./req. Sen. to take up & pass bill) - Lakin

2 HB 1301, SCA 1 (Req. Sen. recede/grant conf./ allow conferees to exceed diff.) - Campbell

3 HCS HB 1189, SCA 1 & SA 1 (Req Sen. recede on SA 1/grant conf.) - Liese

4 HCS SS SB 910, (Req. House recede/grant conf.) - Dougherty

BILLS IN CONFERENCE

1 CCR HCS SB 809 - Hoppe

2 CCR HCS SB 739 - Stoll

3 CCR SCS HS HCS HB 1161, as amended, E.C. - Wiggins

4 SS SCS HS HCS HB 1095, as amended - Smith

5 HS#2 HCS SS SCS SB 675, 483, 490 & 564, as amended - Scheve

6 CCR#2 HCS SB 778 - Hoppe

7 SCS HS HCS HB 1636, as amended - Hoppe

8 CCR SCS HB 1918 - Lograsso

9 SB 945, as amended - Thomason (163)

10 HS HCS SB 487, as amended - Auer

11 SCS HB 1683, as amended - Fitzwater

12 SCS HB 1272 - Holand

HOUSE CONCURRENT RESOLUTION

1 HCR 17, HS, pending (5-6-98, pgs. 1548 & 1549) - Carter

HOUSE RESOLUTION

1 HR 885, (4-29-98, pgs. 1362 & 1363) - Green

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Printer Friendly

House Journal

Second Regular Session, 89th General Assembly

SEVENTY-SECOND DAY, Tuesday, May 12, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Gracious God, as we pray for Your blessings on the Members of this House, we are also mindful of those in the gallery who join us in this prayer. We give You thanks for the youth of these United States, leaders of today and tomorrow, the young people who may someday be standing in this Chamber. We thank You for their faith in America and we pray that nothing done or said in this place will cause them to think any less of the institutions we cherish. Challenge them, and us, we pray, with a vision of good citizenship and a love for all that is good in America and a desire to make it even better. Give us now Your guidance for this day, Your undergirding for this last week of session, and the reassurance of Your everlasting love. O Lord, hear our prayer. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Christina Monaco, Travis Mayes, Christina Rouse, Joe Robichaud, Lura Scott, Andrea Wyant, Stefanie Hausner, Zachary Hausner, Toby Hausner, Joanna Toleno, Emily Lohrrman, Brittne Stoball, Rachel Huebel, Stephen Fischer, Jackie Prayson, Jeff Gazlay, Kristen Walker, Nick Estell, Travis Mayes, Peter Kinder, Alex Kelley, Kelley Marcum, Kevin Klein, and Alex Endsley.

The Journal of the seventy-first day was approved as corrected.

RESOLUTIONS

Representative Linton offered House Resolution No. 1396, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution No. 1397, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kennedy offered House Resolution No. 1398, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Hartzler (123) offered House Resolution No. 1399 through House Resolution No. 1401, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution No. 1402, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Miller offered House Resolution No. 1403, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Vogel and Gratz offered House Resolution No. 1404, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 950, SCS HB 987, SCS HB 1055, SCS HB 1066, HB 1080, HB 1088, SCS HB 1145, HB 1410, SCS HCS HB 1469, SCS HCS HB 1620, HB 1791** and **HB 1862**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SB 588 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **SB 709 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SS SB 657 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Enz Evans

Farnen Fitzwater Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Shelton 57 Shields Skaggs
Stokan Stroker Summers Surface Thomason 163
Thompson 72 Townley Treadway Troupe Vogel
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 000

PRESENT: 002

Lograsso Reynolds

ABSENT WITH LEAVE: 013

Bennett Elliott Foley Hall Kissell
Murphy Shear Sheldon 104 Smith Steen
Stoll Thompson 37 Van Zandt

VACANCIES: 001

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1043, relating to disclosure of social security number, was taken up by Representative Gross.

On motion of Representative Gross, **SCS HB 1043** was adopted by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Berkstresser
Boatright Bonner Boucher Bray 84 Broach
Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 010

Bauer Bennett Bland Elliott Kelly 27

Naeger Shear Sheldon 104 Smith Wannenmacher

VACANCIES: 001

On motion of Representative Gross, **SCS HB 1043** was truly agreed to and finally passed by the following vote:

AYES: 148

Akin Alter Auer Ballard Barnett
Barry 100 Bartlett Berkstresser Bland Boatright
Bonner Boucher Bray 84 Broach Burton
Campbell Carter Champion Chrismer Cierpiot
Clayton Cooper Copeland Crawford Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Edwards-Pavia Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Scheve Schilling Schwab Scott Secrest
Seigfreid Shelton 57 Shields Skaggs Steen
Stoll Stroker Summers Surface Thomason 163
Thompson 72 Townley Treadway Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 013

Backer Bartelsmeyer Bauer Bennett Dougherty
Elliott Pryor Sallee Shear Sheldon 104
Smith Stokan Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative DeMarce, title to the bill was agreed to.

Representative Stoll moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1599, relating to county employees' retirement fund, was taken up by Representative Clayton.

On motion of Representative Clayton, **SCS HB 1599** was adopted by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartlett Bland Boatright
Bonner Boucher Bray 84 Broach Burton
Campbell Carter Champion Chrismer Cierpiot
Clayton Cooper Copeland Crawford Crump
Daniel 42 Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Dougherty Edwards-Pavia Enz
Evans Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman
Hendrickson Hickey Hilgemann Hohulin Holand
Hollingsworth Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Steen

Stokan Stroker Summers Surface Thomason 163

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 003

Bartelsmeyer Berkstresser Farnen

ABSENT WITH LEAVE: 011

Bauer Bennett Donovan Elliott Hoppe

Kelly 27 Shear Sheldon 104 Smith Stoll

Thompson 37

VACANCIES: 001

On motion of Representative Clayton, **SCS HB 1599** was truly agreed to and finally passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bauer Bland

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Dougherty Edwards-Pavia

Enz Evans Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Kreider Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Shelton 57 Shields Skaggs Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 72 Townley Treadway Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 003

Bartelsmeyer Berkstresser Farnen

ABSENT WITH LEAVE: 010

Bennett Donovan Elliott Hoppe Lakin
Reynolds Shear Sheldon 104 Smith Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Parker, title to the bill was agreed to.

Representative Lawson moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

HB 1928, with Senate Amendment No. 1, relating to on-site sewage disposal, was taken up by Representative Parker.

On motion of Representative Parker, the House concurred in Senate Amendment No. 1 by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Donovan Dougherty
Edwards-Pavia Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Shelton 57
Shields Skaggs Steen Stokan Stroker
Summers Surface Thomason 163 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bennett Crump Dolan Elliott Lograsso

Richardson Shear Sheldon 104 Smith Stoll

Thompson 37

VACANCIES: 001

On motion of Representative Parker, **HB 1928, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Daniel 42 Daniels 41 Davis 122

Days Dolan Donovan Edwards-Pavia Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Steen Stokan Stroker Summers

Thomason 163 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

DeMarce

PRESENT: 000

ABSENT WITH LEAVE: 012

Bennett Crump Davis 63 Dougherty Elliott

Levin Shear Sheldon 104 Smith Stoll

Surface Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Treadway, title to the bill was agreed to.

Representative Wiggins moved that the vote by which the bill passed be reconsidered.

Representative Bland moved that motion lay on the table.

The latter motion prevailed.

SCS HS HCS HBs 1601, 1591, 1592, 1479 & 1615, and HCS HBs 1094, 1213, 1311 & 1428, as amended, relating to professional registration, was taken up by Representative Treadway.

Representative Treadway moved that the House refuse to concur in **SCS HS HCS HBs 1601, 1591, 1592, 1479 & 1615 and HCS HBs 1094, 1213, 1311 & 1428, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

HCS SS SB 910, relating to child support, was taken up by Representative Dougherty.

Representative Dougherty moved that the House refuse to recede from its position on **HCS SS SB 910** and grant the Senate a conference.

Which motion was adopted.

BILLS IN CONFERENCE

CCR HCS SB 739, relating to subdivisions, was taken up by Representative Stoll.

On motion of Representative Stoll, **CCR HCS SB 739** was adopted by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Chrismer Cierpiot Clayton Cooper Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Gaskill Gaston Gibbons Graham 106
Graham 24 Green Griesheimer Gross Gunn
Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Lakin
Lawson Leake Legan Levin Liese
Linton Lograsso Long Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Kreider

PRESENT: 000

ABSENT WITH LEAVE: 011

Bennett Champion Copeland Froelker Gratz

Hoppe Loudon Overschmidt Shear Sheldon 104
Thompson 37

VACANCIES: 001

On motion of Representative Stoll, **CCS HCS SB 739** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Lawson Leake Legan Levin Liese
Linton Lograsso Long Luetkenhaus Marble
May 108 Mays 50 McBride McClelland McLuckie
Merideth Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Kreider

PRESENT: 000

ABSENT WITH LEAVE: 010

Bennett Copeland Froelker Hegeman Hoppe

Lakin Loudon Shear Sheldon 104 Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HS HCS HB 1161, as amended, relating to public drinking water, was taken up by Representative Wiggins.

On motion of Representative Wiggins, **CCR SCS HS HCS HB 1161, as amended,** was adopted by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard

Barnett Bartelsmeyer Bartlett Bauer Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Dougherty Edwards-Pavia Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Gaskill Gaston

Gibbons Graham 106 Graham 24 Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Froelker

PRESENT: 000

ABSENT WITH LEAVE: 012

Barry 100 Bennett Copeland Crump Donovan

Elliott Gratz Loudon Shear Sheldon 104

Thompson 37 Williams 121

VACANCIES: 001

On motion of Representative Wiggins, **CCS SCS HS HCS HB 1161** was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Bartelsmeyer Bartlett Bauer Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Barry 100 Bennett Copeland Crump Hoppe

Loudon Shear Sheldon 104 Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Bartelsmeyer Bartlett Bauer Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Lograsso Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Barry 100 Bennett Copeland Crump Griesheimer

Linton Loudon O'Toole Shear Sheldon 104

Thompson 37 Williams 121

VACANCIES: 001

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Harlan moved that the vote by which the bill passed be reconsidered.

Representative Hollingsworth moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HB 1918, relating to affirmative defenses to sexual crimes, was taken up by Representative Lograsso.

On motion of Representative Lograsso, **CCR SCS HB 1918** was adopted by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Berkstresser Bland Boatright Bonner Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Liese Linton Lograsso Long
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 002

Kelly 27 Murphy

PRESENT: 000

ABSENT WITH LEAVE: 007

Bennett Boucher Graham 24 Levin Loudon

Shear Sheldon 104

VACANCIES: 001

On motion of Representative Lograsso, **CCS SCS HB 1918** was read the third time and passed by the following vote:

AYES: 154

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lawson Leake Legan Liese Linton

Lograsso Long Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 007

Bennett Lakin Levin Loudon Shear

Sheldon 104 Williams 121

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Wiggins moved that the vote by which the bill passed be reconsidered.

Representative Riback Wilson moved that motion lay on the table.

The latter motion prevailed.

SCS HS HCS HB 1636, as amended, relating to community improvement, was taken up by Representative Hoppe.

Representative Hoppe moved that the Conference Committee on **SCS HS HCS HB 1636, as amended**, be dissolved and **SCS HS HCS HB 1636, as amended**, be adopted.

Which motion was adopted by the following vote:

AYES: 120

Akin Alter Auer Backer Ballard

Barnett Bartelsmeyer Berkstresser Boatright Bray 84

Broach Burton Campbell Carter Champion
Chrismer Cierpiot Clayton Cooper Copeland
Crawford Daniel 42 Daniels 41 Davis 122 DeMarce
Dolan Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Griesheimer Gross Hagan-Harrell Hall Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hoppe Hosmer
Howerton Kasten Kelley 47 Kennedy Kissell
Klindt Koller Kreider Lawson Leake
Legan Liese Linton Lograsso Long
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland Merideth Miller Monaco Naeger
Nordwald O'Connor Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Richardson Ridgeway Robirds
Ross Sallee Schilling Schwab Scott
Secrest Seigfreid Shelton 57 Shields Skaggs
Smith Steen Stoll Stroker Summers
Surface Thomason 163 Townley Van Zandt Vogel
Wannenmacher Wiggins Williams 159 Wooten Mr. Speaker

NOES: 031

Barry 100 Bartlett Bauer Bland Bonner
Boucher Davis 63 Days Foley Ford
Graham 24 Gratz Green Gunn Harlan
Hollingsworth Johnson Kauffman Kelly 27 McLuckie
Murray O'Toole Reynolds Rizzo Scheve
Thompson 37 Thompson 72 Treadway Troupe Williams 121
Wilson

PRESENT: 000

ABSENT WITH LEAVE: 011

Bennett Crump Donovan Dougherty Lakin
Levin Loudon Murphy Shear Sheldon 104

Stokan

VACANCIES: 001

On motion of Representative Hoppe, **SCS HS HCS HB 1636, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 115

Akin Alter Auer Backer Ballard

Barnett Bartelsmeyer Berkstresser Boatright Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Daniel 42 Daniels 41 Davis 122 DeMarce

Dolan Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foster Fritts Froelker

Gaskill Gibbons Graham 106 Gratz Griesheimer

Gross Hagan-Harrell Hall Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hoppe Hosmer Howerton

Kasten Kelley 47 Kennedy Klindt Koller

Kreider Lawson Leake Legan Liese

Linton Long Luetkenhaus May 108 Mays 50

McBride McClelland Merideth Miller Monaco

Naeger Nordwald O'Connor Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Richardson Ridgeway

Robirds Ross Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stoll Summers Surface

Thomason 163 Thompson 37 Townley Van Zandt Vogel

Wannenmacher Wiggins Williams 159 Wooten Mr. Speaker

NOES: 038

Barry 100 Bartlett Bauer Bland Bonner

Boucher Davis 63 Days Dougherty Foley

Ford Franklin Gaston Graham 24 Green

Gunn Harlan Hollingsworth Johnson Kauffman

Kelly 27 Kissell Lograsso Marble McLuckie

Murphy Murray O'Toole Reynolds Rizzo

Sallee Scheve Stroker Thompson 72 Treadway

Troupe Williams 121 Wilson

PRESENT: 000

ABSENT WITH LEAVE: 009

Bennett Crump Donovan Lakin Levin

Loudon Shear Sheldon 104 Stokan

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative DeMarce moved that the vote by which the bill passed be reconsidered.

Representative Franklin moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

HCS SB 787, relating to microenterprise pilot program, was taken up by Representative Riback Wilson.

Speaker Gaw assumed the Chair.

Representative Gunn offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 787, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following: "To repeal section 143.805, RSMo 1994, and to enact in lieu thereof thirteen new sections relating to microeconomic development."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Section 143.805, RSMo 1994, is repealed and thirteen new sections enacted in lieu thereof, to be known as sections 143.805, 620.1450, 620.1453, 620.1456, 620.1459, 620.1461, 620.1465, 1, 2, 3, 4, 5 and 6, to read as follows:

143.805. 1. Credits granted by other provisions of the statutes shall be applied against the tax imposed by this chapter in the following order:

(1) Credit for income tax paid to another state authorized in section 143.081;

(2) New business facility credit authorized in sections 135.100 to 135.160, RSMo;

(3) Economic development credit authorized in subsection 6 of section 100.286, RSMo;

(4) Missouri low-income housing tax credit authorized in subsection 2 of section 135.352, RSMo;

(5) Employment of unemployed agriculture workers tax credit authorized in sections 135.275 to 135.287, RSMo;

(6) Wood energy producer tax credit authorized in sections 135.300 to 135.311, RSMo;

(7) Contributions to innovations centers and the corporation for science and technology tax credit authorized in sections 348.300 to 348.318, RSMo;

(8) Neighborhood assistance credit authorized in sections 32.105 to 32.125, RSMo;

(9) Special needs child adoption credit authorized in section 135.327, RSMo;

(10) Enterprise zone credit authorized in sections 135.200 to 135.255, RSMo;

(11) Senior citizens property tax credit authorized in sections 135.010 to 135.035, RSMo[.]**;**

(12) Contributions to a family development account reserve fund authorized in sections 1 to 6 of this act.

2. The director of revenue may prescribe the priority of any other credit authorized by law."; and

Further amend said bill, Page 3, Section 620.1465, Line 4, by inserting after all of said line the following:

"**Section 1. 1. Sections 1 to 6 of this act shall be known and may be cited as the family development account program.**

2. For purposes of sections 1 to 6 of this act, the following terms mean:

(1) "Account holder", a person who is the owner of a family development account;

(2) "Community-based organization", any religious or charitable association formed pursuant to chapter 352, RSMo, that is approved by the director of the department of economic development to implement the family development account program;

(3) "Department", the department of economic development;

(4) "Director", the director of the department of economic development;

(5) "Family development account", a financial instrument established pursuant to section 3 of this act. Family development accounts shall be considered the same as individual developments accounts as referenced in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996;

(6) "Family development account reserve fund", the fund created by an approved community-based organization for the purposes of funding the costs incurred in the administration of the program and for providing matching funds for moneys in family development accounts;

(7) "Federal poverty level", the most recent poverty income guidelines published in the calendar year by the United States Department of Health and Human Services;

(8) "Financial institution", any bank, trust company, savings bank, credit union or savings and loan association as defined in chapter 362, 369 or 370, RSMo, and with an office in Missouri which is approved by the director for participation in the program;

(9) "Program", the Missouri family development account program established in sections 1 to 6 of this act;

(10) "Program contributor", a person or entity who makes a contribution to a family development account reserve fund and is not the account holder.

Section 2. 1. There is hereby established within the department of economic development a program to be known as the "Family Development Account Program". The program shall provide eligible families and individuals with an opportunity to establish special savings accounts for moneys which may be used by such families and individuals for education, job training, home ownership, home improvement or small business capitalization.

2. The department shall solicit proposals from community-based organizations seeking to administer the accounts on a not for profit basis. Community-based organization proposals shall include:

(1) A requirement that the individual account holder or the family of an account holder match the contributions of a community-based organization member by contributing cash;

(2) A process for including account holders in decision making regarding the investment of funds in the accounts;

(3) Specifications of the population or populations targeted for priority participation in the program;

(4) A requirement that the individual account holder or the family of an account holder attend economic literacy seminars; and

(5) A process for including economic literacy seminars in the family development account program.

3. In reviewing the proposals of community-based organizations, the department shall consider the following

factors:

(1) The not for profit status of such organization;

(2) The fiscal accountability of the community-based organization;

(3) The ability of the community-based organization to provide or raise moneys for matching contributions;

(4) The ability of the community-based organization to establish and administer a reserve fund account which shall receive all contributions from program contributors; and

(5) The significance and quality of proposed auxiliary services, including economic literacy seminars, and their relationship to the goals of the family development account program.

4. No more than fifteen percent of all funds in the reserve fund account may be used for administrative costs of the program.

5. The department shall promulgate rules and regulations to implement and administer the provisions of sections 1 to 6 of this act. No rule or portion of a rule promulgated pursuant to the authority of sections 1 to 6 of this act shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

Section 3. 1. A family or individual whose household income is less than or equal to two hundred percent of the federal poverty level may open a family development account for the purpose of accumulating and withdrawing moneys for specified expenditures. The account holder may withdraw moneys from the account on the approval of the community-based organization, without penalty, for any of the following expenditures:

(1) Educational costs for any family member at an accredited institution of higher education;

(2) Job training costs for any family member eighteen years of age or older, at an accredited or licensed training program;

(3) Purchase of a primary residence;

(4) Major repairs or improvements to a primary residence; or

(5) Start-up capitalization of a small business for any family member eighteen years of age or older.

2. Financial institutions approved by the department shall be permitted to establish family development accounts pursuant to sections 1 to 6 of this act. The financial institution shall certify to the department, on forms prescribed by the department and accompanied by any documentation required by the department, that such accounts have been established pursuant to the provisions of sections 1 to 6 of this act and that deposits have been made on behalf of the account holder.

3. A financial institution establishing a family development account shall:

(1) Keep the account in the name of the account holder;

(2) Permit deposits to be made in the account by the following, subject to the indicated conditions:

(a) The account holder; or

(b) A community-based organization on behalf of the account holder. Such a deposit may include moneys to match the account holder's deposits, up to a three-to-one match rate;

(3) Require the account to earn at least the market rate of interest; and

(4) Permit the account holder, after obtaining the cosignature of the administrator of the community-based organization, to withdraw moneys from the account for any of the purposes listed in subsection 1 of this section.

4. The total of all deposits or credits deposited from all sources into a family development account in a calendar year shall not exceed two thousand dollars. The total balance in a family development account shall not exceed fifty thousand dollars.

Section 4. 1. Any moneys withdrawn during a calendar year from a family development account by an account holder which are not withdrawn pursuant to subsection 1 of section 3 of this act are subject to a penalty of fifteen percent and the account shall be closed. The account holder shall receive the moneys which the account holder deposited in the account less any penalties, but all matching moneys shall be forfeited.

2. All penalty moneys and moneys forfeited by an account holder pursuant to subsection 1 of this section shall be returned to the family development account reserve fund of the community-based organization.

3. In the event of an account holder's death, the account may be transferred to the ownership of a contingent beneficiary. An account holder shall name contingent beneficiaries at the time the account is established and may change such beneficiaries at any time. If the named beneficiary is deceased or otherwise cannot accept the transfer, the moneys shall be transferred to the family development account reserve fund of the

community-based organization.

Section 5. 1. Moneys deposited in or withdrawn pursuant to subsection 1 of section 3 of this act from a family development account by an account holder are exempted from taxation pursuant to chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, and chapter 147, 148 or 153, RSMo;

2. Interest earned by a family development account is exempted from taxation pursuant to chapter 143, RSMo.

3. Any funds in a family development account, including accrued interest, shall be disregarded when determining eligibility to receive, or the amount of, any public assistance or benefits.

4. A program contributor shall be allowed a credit against the tax imposed by chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, and chapter 147, 148 or 153, RSMo, pursuant to sections 1 to 6 of this act. Contributions up to fifty thousand dollars per program contributor are eligible for the tax credit which shall not exceed fifty percent of the contribution amount. Credits may be carried forward for up to five years, provided all such credits shall be claimed within ten years of the year in which the contribution was made.

5. The department of economic development shall verify all tax credit claims by contributors. The administrator of the community-based organization, with the cooperation of the participating financial institutions, shall submit the names of contributors and the total amount each contributor contributes to a family development account reserve fund for the calendar year. The director shall determine the date by which such information shall be submitted to the department by the local administrator. The department shall submit verification of qualified tax credits pursuant to sections 1 to 6 of this act to the department of revenue.

6. The total tax credits authorized pursuant to sections 1 to 6 of this act shall not exceed four million dollars in any fiscal year.

7. The tax credit allowed by this section shall apply to all taxable years beginning after December 31, 1998.

Section 6. Subject to appropriations and to the provisions of chapter 34, RSMo, the department shall annually award up to one hundred thousand dollars for an independent evaluation of the program. Based on this program evaluation, the department shall provide a comprehensive report on the program to the speaker of the house and the president pro tem of the senate by March first of each year, beginning in 1999.".

Representative Shields raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Gunn, House Amendment No. 1 was adopted.

Representative Boucher offered House Amendment No. 2.

House Amendment No. 2 was withdrawn.

Representative Clayton offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 787, Page 1, In the title, Lines 2 to 3, by deleting all of said lines and inserting in lieu thereof the following: "To repeal sections 253.557 and 253.559, RSMo 1994, relating to the development of microenterprise programs, and to enact in lieu thereof eight new sections relating to the same subject."; and

Further amend said bill, Page 1, Section A, Lines 1 to 2, by deleting all of said lines and inserting in lieu thereof the following: "Section A. Sections 253.557 and 253.559, RSMo 1994, are repealed and eight new sections enacted in lieu thereof, to be known as sections 253.557, 253.559, 620.1450, 620.1453, 620.1456, 620.1459, 620.1461 and 620.1465, to read as follows:

253.557. **1.** If the amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to any of the three preceding years or carried forward for credit against the taxes imposed pursuant to chapter 143, RSMo, except for sections 143.191 to 143.265, RSMo, for the succeeding ten years, or until the full credit is used, whichever occurs first. Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners respectively pro rata

or pursuant to an executed agreement among the partners, members or owners documenting an alternate distribution method.

2. Notwithstanding any provision of law to the contrary, any entity which is not for profit, excluding religious and governmental institutions, may sell, assign, exchange, convey or otherwise transfer tax credits allowed pursuant to section 253.550 under the terms and conditions prescribed in subdivisions (1) and (2) of this subsection. Such entity, hereinafter the assignor for the purposes of this subsection, may sell, assign, exchange or otherwise transfer earned tax credits:

(1) For no less than ninety percent of the par value of such credit; and

(2) In an amount not to exceed one hundred percent of annual earned credits.

The assignee of the tax credits, hereinafter the assignee for purposes of this subsection, may use acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed pursuant to chapter 143, RSMo, and chapter 148, RSMo, except for sections 143.191 to 143.265, RSMo. Unused credits in the hands of the assignee may be carried forward and carried back in accordance with subsection 1 of this section. The assignor shall enter into a written agreement with the assignee establishing the terms and conditions of the agreement and shall perfect such transfer by notifying the department of economic development in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department of economic development to administer and carry out the provisions of this section. Notwithstanding any provision of law to the contrary, the excess of the par value of such credits over the amount paid by the assignee for such credit shall be taxable as income of the assignee. The aggregate of all tax credits authorized pursuant to the provisions of this subsection per eligible property shall not exceed ten million dollars per year.

3. The provisions of subsection 2 of this section shall expire December 31, 2003.

253.559. 1. To claim the credit authorized pursuant to sections 253.550 to 253.561 **of senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly and section 253.557 of this act**, the taxpayer shall apply to the department of economic development which, in consultation with the department of natural resources, shall determine the amount of eligible rehabilitation costs and expenses and whether the rehabilitation meets the standards of the Secretary of the United States Department of the Interior **for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources**. The issuing of certificates of eligible credits to taxpayers shall be performed by the department of economic development. The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed.

2. The department of economic development shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property.".

On motion of Representative Clayton, House Amendment No. 2 was adopted.

On motion of Represenative Clayton, **HCS SB 787, as amended**, was adopted.

On motion of Representative Riback Wilson, **HCS SB 787, as amended,** was read the third time and passed by the following vote:

AYES: 103

Alter Auer Backer Barnett Barry 100

Bartlett Bauer Berkstresser Bland Bonner

Boucher Bray 84 Broach Burton Carter

Champion Chrismer Cooper Crawford Crump

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Enz Evans

Farnen Fitzwater Foley Ford Franklin

Fritts Gaskill Graham 24 Green Griesheimer

Gross Gunn Hagan-Harrell Hartzler 123 Hartzler 124

Hegeman Hendrickson Hilgemann Holand Hollingsworth
Hosmer Johnson Kasten Kauffman Kelley 47
Kelly 27 Kissell Klindt Koller Lawson
Leake Long May 108 Mays 50 McBride
McClelland McLuckie Merideth Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Patek
Pouche Pryor Reinhart Relford Reynolds
Rizzo Sallee Scheve Schilling Schwab
Secrest Seigfreid Shelton 57 Shields Skaggs
Smith Stokan Stoll Thomason 163 Treadway
Troupe Van Zandt Wannenmacher Wiggins Williams 121
Wilson Wooten Mr. Speaker

NOES: 027

Akin Ballard Bartelsmeyer Boatright Cierpiot
Elliott Foster Froelker Gaston Gibbons
Graham 106 Hall Hohulin Kennedy Legan
Linton Marble Miller Murphy Purgason
Richardson Ridgeway Robirds Scott Surface
Townley Williams 159

PRESENT: 000

ABSENT WITH LEAVE: 032

Bennett Campbell Clayton Copeland Daniel 42
Daniels 41 Gratz Harlan Heckemeyer Hickey
Hoppe Howerton Kreider Lakin Levin
Liese Lograsso Loudon Luetkenhaus Monaco
Nordwald Parker Ransdall Ross Shear
Sheldon 104 Steen Stroker Summers Thompson 37
Thompson 72 Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Fritts, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Ladd Stokan moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SB 781, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 927, as amended**, and has taken up and passed **CCS SCS HB 927**.

On motion of Representative Backer, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alison Shrader and Paul Spears.

RESOLUTIONS

Representative Boucher offered House Resolution No. 1405, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 1406, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Overschmidt offered House Resolution No. 1407, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Patek offered House Resolution No. 1408 through House Resolution No.1410, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 1411, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lakin offered House Resolution No. 1412 through House Resolution No. 1430, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Merideth offered House Resolution No. 1431, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 1432 and House Resolution No. 1433, which were referred to the Committee on Miscellaneous Bills and Resolutions.

THIRD READING OF SENATE BILL

HCS SB 615, relating to gambling, was taken up by Representative Treadway.

Representative Treadway offered **HS HCS SB 615**.

Representative Luetkenhaus offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 615, Page 3, Section 313.805, Line 9, by deleting the word "**adjusted**".

Representative Froelker raised a point of order that House Amendment No. 1 goes beyond the scope of the bill and is not germane to the bill according to Rule 72.

The Chair ruled the point of order not well taken.

Repesentative Smith assumed the Chair.

On motion of Representative Luetkenhaus, House Amendment No. 1 was adopted by the following vote:

AYES: 144

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Bland Boatright Bonner Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Griesheimer Gross Gunn Hall Hartzler 124

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor Ostmann

Overschmidt Parker Patek Pouche Purgason

Ransdall Reinhart Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Berkstresser Boucher Donovan Dougherty Ford

Foster Green Hagan-Harrell Harlan Hartzler 123

Heckemeyer Lograsso O'Toole Pryor Relford

Shear Skaggs Williams 121

VACANCIES: 001

Representative Treadway offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 615, Section 1, Page 16, Line 2, by striking the words "**this chapter**" and inserting in lieu thereof the words "**chapter 311**".

On motion of Representative Treadway, House Amendment No. 2 was adopted.

Speaker Gaw resumed the Chair.

Representative Treadway offered House Amendment No. 3.

Representative Liese offered House Substitute Amendment No. 1 for House Amendment No. 3.

House Substitute Amendment No. 1 for House Amendment No. 3 was withdrawn.

House Amendment No. 3 was withdrawn.

Representative Kreider offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 615, Page 34, Line 6, by deleting the opening bracket "[" immediately before the word "an"; and

Further amend said bill, Page 34, Section 572.125, Line 11, by deleting the closing bracket "]" after the period "." at the end of said line; and

Further amend said bill, Page 34, Section 572.125, Line 17, by deleting the opening bracket "[" immediately before the word "whenever"; and

Further amend said bill, Page 34, Section 572.125, Line 18, by deleting the closing bracket "]" after the following: "offered,"; and

Further amend said bill, Page 34, Section 572.125, Line 21, by deleting the opening bracket "[" at the beginning of said line before the word "defense"; and

Further amend said bill, Page 35, Section 572.125, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following: "providing for the return of property.".

Representative Cooper offered House Substitute Amendment No. 1 for House Amendment

No. 3.

House Substitute Amendment No. 1

for

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 615, Page 34, Line 6, by deleting the opening bracket "[" immediately before the word "an"; and

Further amend said bill, Page 34, Section 572.125, Line 11, by deleting the following: "thirty years old.]" and inserting in lieu thereof the following: [thirty] **twenty-five** years old."; and

Further amend said bill, Page 34, Section 572.125, Line 17, by deleting the opening bracket "[" immediately before the word "whenever"; and

Further amend said bill, Page 34, Section 572.125, Line 18, by deleting the closing bracket "]" after the following: "offered,"; and

Further amend said bill, Page 34, Section 572.125, Line 21, by deleting the opening bracket "[" at the beginning of said line before the word "defense"; and

Further amend said bill, Page 35, Section 572.125, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following: "providing for the return of property.".

Representative Cooper moved that House Substitute Amendment No. 1 for House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 040

Auer Barry 100 Bland Carter Cooper

Crump Daniel 42 Davis 122 Davis 63 Days

Donovan Dougherty Farnen Fitzwater Foley

Ford Gratz Green Gunn Hickey

Kelly 27 Kennedy Lawson May 108 Mays 50

Murray O'Connor O'Toole Relford Rizzo

Scheve Shelton 57 Stroker Thompson 72 Treadway

Troupe Van Zandt Wiggins Wilson Mr. Speaker

NOES: 115

Akin Alter Backer Ballard Barnett

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Champion Chrismer Cierpiot

Clayton Crawford Daniels 41 DeMarce Dolan

Edwards-Pavia Elliott Enz Evans Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Griesheimer Gross

Hagan-Harrell Hall Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Kasten Kauffman

Kelley 47 Kissell Klindt Koller Kreider

Lakin Leake Legan Levin Liese

Linton Long Loudon Luetkenhaus Marble

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Naeger Nordwald Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Reynolds Richardson

Robirds Ross Sallee Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shields

Skaggs Smith Steen Stokan Stoll

Summers Surface Thomason 163 Thompson 37 Townley

Vogel Wannenmacher Williams 121 Williams 159 Wooten

PRESENT: 000

ABSENT WITH LEAVE: 007

Copeland Harlan Heckemeyer Johnson Lograsso

Ridgeway Shear

VACANCIES: 001

House Amendment No. 3 was withdrawn.

HCS SB 615, with HS, as amended, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SS#2 SCS SB 632, as amended**, and requests that the House grant the Senate a conference thereon and further that the Senate conferees are allowed to exceed the differences.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SA 1 to HCS HB 1189** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to

recede from its position on **SCA 1 to HB 1301** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HBs 1601, 1591, 1592, 1479 & 1615 and HCS HBs 1094, 1213, 1311 & 1428, as amended,** and grants the House a conference thereon.

MOTION

HS SS#2 SCS SB 632, as amended, relating to child health care, was taken up by Representative Lakin.

Representative Lakin moved that the House refuse to recede from its position on **HS SS#2 SCS SB 632, as amended,** and grant the Senate a conference and the House conferees be allowed to exceed the differences.

Which motion was adopted.

HS HCS SS SCS SB 781, as amended, relating to desegregation, was taken up by Representative Stoll.

Representative Stoll moved that the House refuse to recede from its position on **HS HCS SS SCS SB 781, as amended,** and grant the Senate a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS HB 1189, as amended**: Senators Scott, Quick, Curls, Klarich and Flotron.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HB 1301, as amended**: Senators Wiggins, Goode, Jacob, Mueller and Childers.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HS HCS HB 1601, 1591, 1592, 1479 & 1615 and HCS HB 1094, 1213, 1311 & 1428, as amended**: Senators Scott, Caskey, Mathewson, Sims and Ehlmann.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS SCS SCR 37.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 910**: Senators Caskey, McKenna, Scott, Westfall and Yeckel.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SB 945, as amended**, and has taken up and passed **CCS SB 945**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 787, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken

up and adopted the Conference Committee Report on **SCS HS HCS HB 1161, as amended**, and has taken up and passed **CCS SCS HS HCS HB 1161**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1918**, and has taken up and passed **CCS SCS HB 1918**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SS#2 SCS SB 632, as amended**: Senators Quick, McKenna, Goode, Westfall and Rohrbach.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS#2 HCS SS SCS SBs 675, 483, 490 & 564, as amended**, and has taken up and passed **CCS HS#2 HCS SS SCS SBs 675, 483, 490 & 564**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SCS SB 781, as amended**: Senators House, Caskey, Clay, Ehlmann and Flotron.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SB 809**, and has taken up and passed **CCS#2 HCS SB 809**.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HS SS SB 910: Representatives Dougherty, Campbell, Monaco, Ridgeway and Gibbons

HCS HB 1189: Representatives Liese, Johnson, Stoll, Hartzler (123) and Burton

SCS HS HCS HBs 1601, 1591, 1592, 1479 & 1615 and HCS HBs 1094, 1213, 1311 & 1428: Representatives Treadway, Barry, Foley, Norwald and Hegeman

HB 1301: Representatives Campbell, Bray, Van Zandt, Lograsso and Gaston

HS SS#2 SCS SB 632: Representatives Lakin, Hollingsworth, Gaw, Shields and Elliott

HS HCS SS SCS SB 781: Representatives Stoll, McLuckie, Troupe, Shields and Scott

THIRD READING OF SENATE BILL

HCS SB 615, with HS, as amended, pending, relating to gambling, was again taken up by Representative Treadway.

Representative Scheve offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 615, Page 1, In the Title, Line 6, by deleting the word "eleven" and inserting in lieu thereof the word "twelve"; and

Further amend said bill, Page 1, Section A, Line 13, by deleting the word "eleven" and inserting in lieu thereof the word "twelve"; and

Further amend said bill, Page 1, Section A, Line 15, by inserting after the figure "313.842," the figure "313.875,";

and

Further amend said bill, Page 28, Section 313.842, Line 2, by inserting after all of said line the following:

"**313.875 1. As used in this section, the following terms shall mean:**

(1) "Charitable or religious organization", an organization which is charitable or religious in nature and which has obtained an exemption from the payment of federal income taxes pursuant to section 501(c)(3) of the Internal Revenue Code of 1986, as amended;

(2) "Commission", the Missouri gaming commission;

(3) "Raffles and sweepstakes", games of chance in which a person can purchase a chance or chances, or risk something of value, to win a prize.

2. A charitable or religious organization may offer and sponsor raffles and sweepstakes after notification to the commission of its intent to do so. Upon the completion of any such raffle or sweepstakes, the organization shall submit the names and addresses of all winners to the commission. The offering or sponsoring of, or participation in, raffles and sweepstakes pursuant to this section does not constitute gambling as that term is defined in chapter 572, RSMo. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority of this chapter, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028, RSMo, to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.

3. This section shall become effective thirty days after the passage of an amendment to article III, section 39 of the Missouri Constitution authorizing the sponsoring of raffles and sweepstakes by charitable or religious institutions.".

Representative Loudon raised a point of order that House Amendment No. 4 is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Scheve, House Amendment No. 4 was adopted.

Representative Foley offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 615, Page 7, Section 313.807, Line 15, by deleting the word "**six**" and inserting in lieu thereof the word "**five**".

Representative Wannenmacher offered House Substitute Amendment No. 1 for House Amendment No. 5.

House Substitute Amendment No. 1

for

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 615, Page 7, Section 313.807, Line 15, by deleting the word "**six**" and inserting in lieu thereof the word "**four**".

House Substitute Amendment No. 1 for House Amendment No. 5 was withdrawn.

Representative Kauffman offered House Substitute Amendment No. 1 for House Amendment No. 5.

House Substitute Amendment No. 1

for

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 615, Page 7, Section 313.807, Line 12, by deleting lines 12 through 15; and

Further amend by deleting on lines 16 the following: "set by the commission, and"; and

Further amend by adding the following: "The initial license of an excursion gambling boat operator shall be for a period of two years. The first renewal shall be for a period of three years. Each subsequent renewal shall be for a period of no less than three years and no more than five years as set by the commission, and".

Representative Kauffman moved that House Substitute Amendment No. 1 for House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 066

Auer Bartlett Bland Boucher Bray 84

Campbell Carter Cooper Copeland Crump

Daniel 42 Daniels 41 Davis 63 Days Dolan

Donovan Dougherty Farnen Fitzwater Foley

Ford Graham 24 Green Gunn Harlan

Hartzler 123 Heckemeyer Hickey Hilgemann Hollingsworth

Hoppe Johnson Kauffman Kelly 27 Lakin

Lawson Leake Legan Liese Mays 50

McLuckie Murray Nordwald O'Connor O'Toole

Overschmidt Reynolds Rizzo Schilling Shelton 57

Shields Skaggs Stroker Thomason 163 Thompson 37

Thompson 72 Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Wilson Wooten

Mr. Speaker

NOES: 091

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bauer Bennett Berkstresser

Boatright Bonner Broach Burton Champion

Chrismer Cierpiot Clayton Crawford Davis 122

DeMarce Edwards-Pavia Elliott Enz Evans

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Gratz Griesheimer

Gross Hagan-Harrell Hall Hartzler 124 Hegeman

Hendrickson Hohulin Holand Hosmer Howerton

Kasten Kelley 47 Kennedy Klindt Koller

Kreider Levin Linton Lograsso Long

Loudon Luetkenhaus Marble McBride McClelland

Merideth Miller Monaco Murphy Naeger

Ostmann Parker Pouche Pryor Purgason

Ransdall Reinhart Relford Richardson Ridgeway

Robirds Ross Sallee Schwab Scott

Secrest Seigfreid Sheldon 104 Smith Steen

Stokan Stoll Summers Surface Townley

Williams 159

PRESENT: 000

ABSENT WITH LEAVE: 005

Kissell May 108 Patek Scheve Shear

VACANCIES: 001

Representative Bennett offered House Substitute Amendment No. 2 for House Amendment No. 5.

House Substitute Amendment No. 2

for

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 615, Page 7, Section 313.807, Line 12, by deleting both sets of opening "(" and closing ")" brackets on said line; and further amend said bill, page 7, section 313.807, line 13, by deleting the opening bracket after the word "of"; and

further amend page 7, section 313.807, lines 15 and 16, by deleting all of said lines and inserting in lieu thereof the following:

"However, the commission may reopen licensing".

Representative Bennett moved that House Substitute Amendment No. 2 for House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 078

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Burton Champion

Chrismer Cierpiot Crawford DeMarce Dolan

Edwards-Pavia Elliott Enz Evans Ford

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Griesheimer Gross Hall Hartzler 124

Hegeman Hendrickson Hohulin Holand Hosmer

Howerton Kasten Kelley 47 Klindt Legan

Levin Linton Lograsso Long Loudon

Luetkenhaus Marble McBride McClelland Merideth

Miller Murphy Naeger Nordwald Ostmann

Patek Pouche Pryor Purgason Reinhart

Richardson Ridgeway Robirds Ross Sallee

Schilling Schwab Scott Secrest Seigfreid

Smith Steen Stokan Summers Surface

Townley Williams 121 Williams 159

NOES: 082

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Broach

Campbell Carter Cooper Copeland Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

Donovan Dougherty Farnen Fitzwater Foley

Franklin Fritts Graham 24 Gratz Green

Gunn Hagan-Harrell Harlan Hartzler 123 Heckemeyer

Hickey Hilgemann Hollingsworth Hoppe Johnson

Kauffman Kelly 27 Kennedy Kissell Koller

Kreider Lakin Lawson Leake Liese

May 108 Mays 50 McLuckie Monaco Murray

O'Connor O'Toole Overschmidt Parker Ransdall

Relford Reynolds Rizzo Scheve Sheldon 104

Shelton 57 Shields Skaggs Stoll Stroker

Thomason 163 Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Wilson

Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 002

Clayton Shear

VACANCIES: 001

House Amendment No. 5 was withdrawn.

HCS SB 615, with HS, as amended, pending, was laid over.

HCS SB 827, relating to economic development, was taken up by Representative Rizzo.

Representative Rizzo offered **HS HCS SB 827**.

Representative Rizzo offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 1, In the Title, Line 11, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 2, Section A, Line 1, by deleting the word and number "and 2" and inserting in lieu thereof the following: ", 2 and 3"; and

Further amend said bill, Page 67, Section 2, Line 10, by inserting after all of said line the following:

"**Section 3. Any taxpayer, corporation or business receiving tax benefits administered by the department of economic development pursuant to chapter 32, RSMo, chapter 100, RSMo, chapter 135, RSMo, chapter 235, RSMo, chapter 447, RSMo, or chapter 620, RSMo, who is found to employ any illegal alien on any project, in any business or facility or commercial activity for which such tax credits are claimed shall:**

(1) Become immediately ineligible for the tax credits being received;

(2) Become ineligible for any of the tax credits as provided in this section for two years following the date the department discovered the employment of illegal aliens;

(3) Be fined up to twenty percent of the total amount of any such tax credit received.".

Representative Lawson offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 1, In the Title, Line 3, by inserting after the number "135.110," the following: "209.251, 209.253, 209.255, 209.257, 209.258, 209.259,"; and

Further amend said bill, Page 1, In the Title, Line 5, by inserting after the word "sections" the number "135.100,"; and

Further amend said bill, Page 1, In the title, Line 11, by deleting the word "thirteen" and inserting in lieu thereof the word "twenty"; and

Further amend said bill, Page 1, Section A, Line 16, by inserting after the number "135.110," the following: "209.251, 209.253, 209.255, 209.257, 209.258, 209.259,"; and

Further amend said bill, Page 1, Section A, Line 17, by inserting after the word "sections" the number "135.100,"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the word "thirteen" and inserting in lieu thereof the word "twenty"; and

Further amend said bill, Page 1, Section A, Line 21, by inserting after the number "32.115," the number "135.100,"; and

Further amend said bill, Page 1, Section A, Line 21, by inserting after the number "135.208," the following: "209.251, 209.253, 209.255, 209.257, 209.258, 209.259,"; and

Further amend said bill, Page 11, Section 32.115, Line 11, by inserting after all of said line the following:

"135.100. As used in sections 135.100 to 135.150 the following terms shall mean:

(1) "Commencement of commercial operations" shall be deemed to occur during the first taxable year for which the new business facility is first available for use by the taxpayer, or first capable of being used by the taxpayer, in the revenue producing enterprise in which the taxpayer intends to use the new business facility;

(2) "Existing business facility", any facility in this state which was employed by the taxpayer claiming the credit in the operation of a revenue producing enterprise immediately prior to an expansion, acquisition, addition, or replacement;

(3) "Facility", any building used as a revenue producing enterprise located within the state, including the land on which the facility is located and all machinery, equipment and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;

(4) "New business facility", a facility which satisfies the following requirements:

(a) Such facility is employed by the taxpayer in the operation of a revenue producing enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of a revenue producing enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of a revenue producing enterprise, the portion employed by the taxpayer in the operation of a revenue producing enterprise shall be considered a new business facility, if the requirements of paragraphs (b), (c), (d) and (e) of this subdivision are satisfied;

(b) Such facility is acquired by, or leased to, the taxpayer after December 31, 1983. A facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31, 1983, if the transfer of title to the taxpayer, the transfer of possession pursuant to a binding contract to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs after December 31, 1983, or, if the facility is constructed, erected or installed by or on behalf of the taxpayer, such construction, erection or installation is commenced after December 31, 1983;

(c) If such facility was acquired by the taxpayer from another person or persons and such facility was employed immediately prior to the transfer of title to such facility to the taxpayer, or to the commencement of the term of the lease of such facility to the taxpayer, by any other person or persons in the operation of a revenue producing enterprise, the operation of the same or a substantially similar revenue producing enterprise is not continued by the taxpayer at such facility;

(d) Such facility is not a replacement business facility, as defined in subdivision (10) of this section; and

(e) The new business facility investment exceeds one hundred thousand dollars during the tax period in which the credits are claimed;

(5) "New business facility employee", a person employed by the taxpayer in the operation of a new business facility during the taxable year for which the credit allowed by section 135.110 is claimed, except that truck drivers and rail and barge vehicle operators shall not constitute new business facility employees. A person shall be deemed to be so employed if such person performs duties in connection with the operation of the new business facility on:

(a) A regular, full-time basis; or

(b) A part-time basis, provided such person is customarily performing such duties an average of at least twenty hours per week; or

(c) A seasonal basis, provided such person performs such duties for at least eighty percent of the season customary for the position in which such person is employed;

(6) "New business facility income", the Missouri taxable income, as defined in chapter 143, RSMo, derived by the taxpayer from the operation of the new business facility. For the purpose of apportionment as prescribed in this subdivision, the term "Missouri taxable income" means, in the case of insurance companies, direct premiums as defined in chapter 148, RSMo. If a taxpayer has income derived from the operation of a new business facility as well as from other activities conducted within this state, the Missouri taxable income derived by the taxpayer from the operation of the new business facility shall be determined by multiplying the taxpayer's Missouri taxable income, computed in accordance with chapter 143, RSMo, or in the case of an insurance company, computed in accordance with chapter 148, RSMo, by a fraction, the numerator of which is the property factor, as defined in paragraph (a) of this subdivision, plus the payroll factor, as defined in paragraph (b) of this subdivision, and the denominator of which is two:

(a) The property factor is a fraction, the numerator of which is the new business facility investment certified for the tax period, and the denominator of which is the average value of all the taxpayer's real and depreciable tangible personal property owned or rented and used in this state during the tax period. The average value of all such property shall be determined as provided in chapter 32, RSMo;

(b) The payroll factor is a fraction, the numerator of which is the total amount paid during the tax period by the taxpayer for compensation to persons qualifying as new business facility employees, as determined by subsection 4 of section 135.110, at the new business facility, and the denominator of which is the total amount paid in this state during the tax period by the taxpayer for compensation. The compensation paid in this state shall be determined as provided in chapter 32, RSMo. For the purpose of this subdivision, "other activities conducted within this state" shall include activities previously conducted at the expanded, acquired or replaced facility at any time during the tax period immediately prior to the tax period in which commencement of commercial operations occurred;

(7) "New business facility investment", the value of real and depreciable tangible personal property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer in the operation of the new business facility, during the taxable year for which the credit allowed by section 135.110 is claimed, except that trucks, truck-trailers, truck semitrailers, rail and barge vehicles and other rolling stock for hire, track, switches, barges, bridges, tunnels and rail yards and spurs shall not constitute new business facility investments. The total value of such property during such taxable year shall be:

(a) Its original cost if owned by the taxpayer; or

(b) Eight times the net annual rental rate, if leased by the taxpayer. The net annual rental rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals. The new business facility investment shall be determined by dividing by twelve the sum of the total value of such property on the last business day of each calendar month of the taxable year. If the new business facility is in operation for less than an entire taxable year, the new business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such taxable year during which the new business facility was in operation by the number of full calendar months during such period;

(8) "Office", a regional, national or international headquarters, a telemarketing operation, an insurance company, a passenger transportation ticket/reservation system or a credit card billing and processing center. For the purposes of this subdivision, "headquarters" means the administrative management of at least four integrated facilities operated by the taxpayer or related taxpayer. An office, as defined in this subdivision, when established must create and maintain positions for a minimum number of twenty-five new business facility employees as defined in subdivision (5) of this section;

(9) "Related taxpayer" shall mean:

(a) A corporation, partnership, trust or association controlled by the taxpayer;

(b) An individual, corporation, partnership, trust or association in control of the taxpayer; or

(c) A corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. For the purposes of sections 135.100 to 135.150, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote; "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association; and "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; ownership shall be determined as provided in section 318 of the U.S. Internal Revenue Code;

(10) "Replacement business facility", a facility otherwise described in subdivision (4) of this section, hereafter referred to in this subdivision as "new facility", which replaces another facility, hereafter referred to in this subdivision as "old facility", located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating on or before the close of the first taxable year in which the credit allowed by this section is claimed. A new facility shall be deemed to replace an old facility if the following conditions are met:

(a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's or related taxpayer's taxable period immediately preceding the taxable year in which commencement of commercial operations occurs at the new facility; and

(b) The old facility was employed by the taxpayer or a related taxpayer in the operation of a revenue producing enterprise and the taxpayer continues the operation of the same or substantially similar revenue producing enterprise at the new facility. Notwithstanding the preceding provisions of this subdivision, a facility shall not be considered a replacement business facility if the taxpayer's new business facility investment, as computed in subsection 5 of section 135.110, in the new facility during the tax period in which the credits allowed in sections 135.110, 135.225 and 135.235 and the exemption allowed in section 135.220 are claimed exceed one million dollars or, if less, two hundred percent of the investment in the old facility by the taxpayer or related taxpayer, and if the total number of employees at the new facility exceeds the total number of employees at the old facility by at least two except that the total number of employees at the new facility exceeds the total number of employees at the old facility by at least twenty-five if an office as defined in subdivision (8) of this section is established by a revenue producing enterprise other than a revenue producing enterprise defined in paragraphs (a) to (g) and (i) to (l) of subdivision (11) of this section;

(11) "Revenue producing enterprise" means:

(a) Manufacturing activities classified as SICs 20 through 39;

(b) Agricultural activities classified as SIC 025;

(c) Rail transportation terminal activities classified as SIC 4013;

(d) Motor freight transportation terminal activities classified as SIC 4231;

(e) Public warehousing and storage activities classified as SICs 422 and 423 except SIC 4221, miniwarehouse warehousing and warehousing self-storage;

(f) Water transportation terminal activities classified as SIC 4491;

(g) Wholesale trade activities classified as SICs 50 and 51;

(h) Insurance carriers activities classified as SICs 631, 632 and 633;

(i) Research and development activities classified as SIC 873, except 8733;

(j) Farm implement dealer activities classified as SIC 5999;

(k) Interexchange telecommunications services as defined in subdivision [(20)] **(24) or local exchange telecommunications services as defined in subdivision (31)** of section 386.020, RSMo, or training activities conducted by an interexchange telecommunications company **or by a local exchange telecommunications company** as defined in [subdivision (19)] **subdivisions (23) and (30)** of section 386.020, RSMo;

(l) Recycling activities classified as SIC 5093;

(m) Office activities as defined in subdivision (8) of this section, notwithstanding SIC classification;

(n) Mining activities classified as SICs 10 through 14;

(o) Computer programming, data processing and other computer-related activities classified as SIC 737;

(p) The administrative management of any of the foregoing activities; or

(q) Any combination of any of the foregoing activities;

(12) "Same or substantially similar revenue producing enterprise", a revenue producing enterprise in which the nature of the products produced or sold, or activities conducted, are similar in character and use or are produced, sold, performed or conducted in the same or similar manner as in another revenue producing enterprise;

(13) "SIC", the primary standard industrial classification as such classifications are defined in the 1987 edition of the Standard Industrial Classification Manual as prepared by the Executive Office of the President, Office of Management and Budget. For the purpose of this subdivision, "primary" means at least fifty percent of the activities so classified are performed at the new business facility during the taxpayer's tax period in which such tax credits are being claimed;

(14) "Taxpayer", an individual proprietorship, corporation described in section 143.441 or 143.471, RSMo, and partnership or an insurance company subject to the tax imposed by chapter 148, RSMo, or in the case of an insurance company exempt from the thirty percent employee requirement of section 135.230, to any obligation imposed pursuant to section 375.916, RSMo."; and

Further amend said bill, Page 21, Section 135.110, Line 7, by inserting after the word "company" the following: "**or local exchange telecommunications company**"; and

Further amend said bill, Page 29, Section 135.208, Line 8, by inserting after all of said line the following:

"209.251. As used in sections 209.251 to 209.259, the following terms mean:

(1) **"Adaptive telephone equipment", equipment that modifies or replaces the functions of a telephone used to place and receive voice calls, including but not limited to the functions of hearing, speaking, dialing and manipulating the handset. Adaptive telephone equipment does not include equipment needed for personal communication or mobility, such as hearing aids, eyeglasses, wheelchairs, prosthetics and orthotics;**

(2) "Basic telephone access line", a telephone line which provides service from the telephone company central office to the customer's premises which enables the customer to originate and terminate long distance and local calling;

[(2)] **(3)** "Commission", the public service commission;

[(3)] **(4)** "Eligible subscriber", any individual who has been certified as deaf, hearing-impaired, speech-impaired or as having another disability that causes the inability to use traditional telephone equipment and services by a licensed physician, audiologist, speech pathologist or [a qualified state] **an approved** agency;

[(4)] **(5) "Missouri assistive technology advisory council", the entity established pursuant to section 191.853, RSMo;**

(6) "Surcharge", an additional charge which is to be paid by local exchange telephone company subscribers pursuant to the rate recovery mechanism established pursuant to sections 209.255, 209.257 and 209.259 in order to implement the [program] **programs** described in sections 209.251 to 209.259;

[(5)] **(7)** "Telecommunications device for the deaf" or "TDD", a telecommunications device capable of allowing deaf, hearing-impaired or speech-impaired individuals to transmit messages over basic telephone access lines by sending and receiving typed messages.

209.253. 1. The commission shall initiate an investigation to determine the most beneficial and cost-effective method to implement the provision of a statewide dual-party system, using third-party intervention to connect deaf, hearing-impaired and speech-impaired persons and offices of organizations representing the deaf, hearing-impaired and speech-impaired with telecommunication devices for the deaf (TDDs) and the telephone system, making available reasonable access to telephone service to eligible subscribers. In conducting this investigation the commission shall solicit the advice, counsel, and assistance of statewide nonprofit organizations of the deaf, the office of the public counsel and representatives of telecommunications companies. The commission shall complete this investigation within six months of July 10, 1990.

2. The commission shall initiate an investigation to determine the most beneficial and cost-effective method to implement the provision of a statewide telecommunications equipment distribution program making available reasonable access to telephone service for eligible subscribers who are unable to use traditional telephone equipment due to disability. In conducting this investigation the commission shall solicit the advice, counsel and assistance of statewide nonprofit organizations for individuals with disabilities, the office of the public counsel and representatives of telecommunications companies. The commission shall complete such investigation within six months of August 28, 1996.

3. Within sixty days of the completion of the investigations provided in subsections 1 and 2 of this section, the division of purchasing, on behalf of the commission, shall issue a request for competitive bids to provide a statewide dual-party relay service and equipment distribution program which meets the specifications and criteria determined by such investigations. The request for competitive bids shall contain the date, as determined by the division of purchasing, by which all bids shall be submitted and the division of purchasing shall not accept or consider any bids received after that date.

4. Within sixty days of the date provided in subsection 3 of this section requiring bids to be submitted, the division of purchasing shall open all bids and shall thereafter award a contract to the best bidder and shall in all instances reserve the right to reject any and all bids. A bond satisfactory to the division shall be given by the party to whom the contract is awarded, to secure the faithful performance of such contract.

5. **The Missouri assistive technology advisory council shall administer the statewide telecommunications equipment distribution program. The Missouri assistive technology advisory council shall review the recommendations of the investigation described in subsection 2 of this section and shall solicit additional input as needed to update the recommendations. Using such recommendations, the Missouri assistive technology advisory council shall design the equipment distribution program to provide adaptive telephone equipment to eligible subscribers in the most beneficial and cost-effective manner. The equipment distribution program shall include consumer support and outreach.**

6. Nothing in sections 209.251 to 209.259 shall be construed to require the state to purchase, install or maintain equipment on an eligible subscriber's premises which will enable the eligible subscriber to participate in the **dual-party relay** system.

7. Nothing in sections 209.251 to 209.259 shall be construed to require the state to provide adaptive telephone equipment to all eligible subscribers. Any procedures adopted by the Missouri assistive technology advisory council to limit eligibility for adaptive telephone equipment shall not be based on an individual's type of disability.

209.255. 1. The commission shall establish a rate recovery mechanism to recover the costs of implementing and maintaining the **dual-party relay** program provided for in section 209.253, which shall be applied to each basic telephone access line. **A rate recovery mechanism, in an amount equal to sixty-five percent rounded to the nearest whole cent of the dual-party relay rate recovery surcharge, shall be established to recover the costs of implementing and maintaining the statewide telecommunications equipment distribution program provided for in section 209.253, which shall also be applied to each basic telephone access line.**

Any surcharge established by such rate recovery mechanism shall not be imposed upon more than one hundred basic telephone access lines per subscriber per location. Any surcharge established by such rate recovery mechanism shall not be imposed on any telephone line used to provide pay telephone service. The surcharge may appear on the bill of each local exchange telephone subscriber identified separately as a deaf relay service and equipment distribution program fund surcharge. The commission shall not vary the amount of the surcharge between telephone companies nor between the class or grade of customers of any telephone company. The surcharge provided for in this section shall be exempt from the taxes provided for in chapter 144, RSMo, and the surcharge shall not be construed as gross receipts or revenue of the company collecting such for the purpose of local taxation.

2. Each basic telephone access line subscriber is liable for the payment of any [surcharge] **surcharges** provided for in subsection 1 of this section. The local exchange telephone company shall not be liable for any uncollected [surcharge] **surcharges**, nor shall it have any obligation to initiate any action to enforce the collection of the [surcharge] **surcharges**.

209.257. The local exchange telephone company shall deduct and retain a percentage of the total surcharge amount collected each month to recover the billing, collecting, remitting and administrative costs attributed to the deaf relay service and equipment distribution program fund [surcharge] **surcharges**. The commission shall determine the appropriate percentage to be deducted and retained and shall include this percentage as part of its order establishing the deaf relay service and equipment distribution program fund [surcharge] **surcharges**. All remaining deaf relay service and equipment distribution program fund [surcharge] **surcharges** money collected by local exchange telephone companies shall be remitted to the commission, who shall use such money exclusively to fund the programs provided for in section 209.253.

209.258. 1. All remaining deaf relay service **fund surcharge** and equipment distribution program fund surcharge money collected by local exchange telephone companies pursuant to section 209.257 shall be paid to the director of revenue in a manner prescribed by the public service commission. The director of revenue shall remit such payments to the state treasurer.

2. The state treasurer shall credit such **deaf relay service** payments to a special fund, which is hereby created, to be known as the "Deaf Relay Service [and Equipment Distribution Program] Fund" which [fund] shall be devoted solely to the payment of **the** expenditures actually incurred in operation of the statewide dual-party relay service [and equipment distribution program] authorized by section 209.253, including expenses associated with the administration of the dual-party relay service [and equipment distribution program] or incurred by members of any advisory committee appointed by the commission to help it administer the dual-party relay service and equipment distribution program authorized by section 209.253.

3. **The state treasurer shall credit such equipment distribution program payments to a special fund, which is hereby created, to be known as the "Equipment Distribution Program Fund" which shall be devoted solely to the payment of the expenditures actually incurred in operation of the statewide equipment distribution program authorized by section 209.253, including expenses associated with the administration of the statewide equipment distribution program or incurred by members of any advisory committee appointed by the Missouri assistive technology advisory council to help it administer the statewide equipment distribution program authorized by section 209.253.**

4. Any unexpended balance in the **deaf relay service** fund at the end of the fiscal year shall be exempt from the provisions of section 33.080, RSMo, relating to the transfer of unexpended balances to the general revenue fund, but shall be applicable by appropriation of the general assembly to the payment of expenditures for the dual-party relay service [and equipment distribution program] in the succeeding fiscal year.

5. Any unexpended balance in the equipment distribution fund at the end of each fiscal year shall be exempt from the provisions of section 33.080, RSMo, related to the transfer of unexpended balances to the general revenue fund, but shall be applicable by appropriation of the general assembly to the payment of expenditures for the equipment distribution program in the succeeding fiscal year.

[4.] **6.** Any unexpended balance in the deaf relay service **and equipment distribution program** fund on August 28, [1996] **1998**, shall be [transferred to] **divided as follows: sixty percent to** the deaf relay service **fund created in subsection 2 of this section** and **forty percent to the** equipment distribution program fund [which is] created in subsection [2] **3** of this section.

209.259. From the date of implementing the deaf relay service [and equipment distribution] fund surcharge, the commission shall review such surcharge no less frequently than every two years but no more than annually and shall order changes in the amount of the surcharge as necessary to assure available funds for the provision of the [program] **deaf relay service** established in section 209.253. Concurrent with the review of the surcharge, the commission shall review the percentage deducted and retained by the local exchange telephone company provided in section 209.257 and if necessary shall order adjustments to the percentage to assure a just and reasonable compensation to the local exchange telephone company. Where the review of the surcharge determines that excess funds are available, the commission may order the suspension of the deaf relay service [and equipment distribution program] fund surcharge for a period which the commission deems appropriate.".

On motion of Representative Lawson, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted.

Representative Rizzo offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 1, In the Title, Line 5, by inserting after the word "sections" the number "135.100,"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 17, by inserting after the word "sections" the number "135.100,"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 21, by inserting after the number "32.115," the number "135.100,"; and

Further amend said bill, Page 11, Section 32.115, Line 11, by inserting after all of said line the following:

"135.100. As used in sections 135.100 to 135.150 the following terms shall mean:

(1) "Commencement of commercial operations" shall be deemed to occur during the first taxable year for which the new business facility is first available for use by the taxpayer, or first capable of being used by the taxpayer, in the revenue producing enterprise in which the taxpayer intends to use the new business facility;

(2) "Existing business facility", any facility in this state which was employed by the taxpayer claiming the credit in the operation of a revenue producing enterprise immediately prior to an expansion, acquisition, addition, or replacement;

(3) "Facility", any building used as a revenue producing enterprise located within the state, including the land on which the facility is located and all machinery, equipment and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;

(4) "New business facility", a facility which satisfies the following requirements:

(a) Such facility is employed by the taxpayer in the operation of a revenue producing enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of a revenue producing enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of a revenue producing enterprise, the portion employed by the taxpayer in the operation of a revenue producing enterprise shall be considered a new business facility, if the requirements of paragraphs (b), (c), (d) and (e) of this subdivision are satisfied;

(b) Such facility is acquired by, or leased to, the taxpayer after December 31, 1983. A facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31, 1983, if the transfer of title to the

taxpayer, the transfer of possession pursuant to a binding contract to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs after December 31, 1983, or, if the facility is constructed, erected or installed by or on behalf of the taxpayer, such construction, erection or installation is commenced after December 31, 1983;

(c) If such facility was acquired by the taxpayer from another person or persons and such facility was employed immediately prior to the transfer of title to such facility to the taxpayer, or to the commencement of the term of the lease of such facility to the taxpayer, by any other person or persons in the operation of a revenue producing enterprise, the operation of the same or a substantially similar revenue producing enterprise is not continued by the taxpayer at such facility;

(d) Such facility is not a replacement business facility, as defined in subdivision (10) of this section; and

(e) The new business facility investment exceeds one hundred thousand dollars during the tax period in which the credits are claimed;

(5) "New business facility employee", a person employed by the taxpayer in the operation of a new business facility during the taxable year for which the credit allowed by section 135.110 is claimed, except that truck drivers and rail and barge vehicle operators shall not constitute new business facility employees. A person shall be deemed to be so employed if such person performs duties in connection with the operation of the new business facility on:

(a) A regular, full-time basis; or

(b) A part-time basis, provided such person is customarily performing such duties an average of at least twenty hours per week; or

(c) A seasonal basis, provided such person performs such duties for at least eighty percent of the season customary for the position in which such person is employed;

(6) "New business facility income", the Missouri taxable income, as defined in chapter 143, RSMo, derived by the taxpayer from the operation of the new business facility. For the purpose of apportionment as prescribed in this subdivision, the term "Missouri taxable income" means, in the case of insurance companies, direct premiums as defined in chapter 148, RSMo. If a taxpayer has income derived from the operation of a new business facility as well as from other activities conducted within this state, the Missouri taxable income derived by the taxpayer from the operation of the new business facility shall be determined by multiplying the taxpayer's Missouri taxable income, computed in accordance with chapter 143, RSMo, or in the case of an insurance company, computed in accordance with chapter 148, RSMo, by a fraction, the numerator of which is the property factor, as defined in paragraph (a) of this subdivision, plus the payroll factor, as defined in paragraph (b) of this subdivision, and the denominator of which is two:

(a) The property factor is a fraction, the numerator of which is the new business facility investment certified for the tax period, and the denominator of which is the average value of all the taxpayer's real and depreciable tangible personal property owned or rented and used in this state during the tax period. The average value of all such property shall be determined as provided in chapter 32, RSMo;

(b) The payroll factor is a fraction, the numerator of which is the total amount paid during the tax period by the taxpayer for compensation to persons qualifying as new business facility employees, as determined by subsection 4 of section 135.110, at the new business facility, and the denominator of which is the total amount paid in this state during the tax period by the taxpayer for compensation. The compensation paid in this state shall be determined as provided in chapter 32, RSMo. For the purpose of this subdivision, "other activities conducted within this state" shall include activities previously conducted at the expanded, acquired or replaced facility at any time during the tax period immediately prior to the tax period in which commencement of commercial operations occurred;

(7) "New business facility investment", the value of real and depreciable tangible personal property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer in the operation of the new business facility, during the taxable year for which the credit allowed by section 135.110 is claimed, except that trucks, truck-trailers, truck semitrailers, rail and barge vehicles and other rolling stock for hire, track, switches, barges, bridges, tunnels and rail yards and spurs shall not constitute new business facility investments. The total value of such property during such taxable year shall be:

(a) Its original cost if owned by the taxpayer; or

(b) Eight times the net annual rental rate, if leased by the taxpayer. The net annual rental rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals. The new business facility investment shall be determined by dividing by twelve the sum of the total value of such property on the last business day of each calendar month of the taxable year. If the new business facility is in operation for less than an entire taxable year, the new business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such taxable year during which the new business facility was in operation by the number of full calendar months during such period;

(8) "Office", a regional, national or international headquarters, a telemarketing operation, an insurance company, a passenger transportation ticket/reservation system or a credit card billing and processing center. For the purposes of this subdivision, "headquarters" means the administrative management of at least four integrated facilities operated by the taxpayer or related taxpayer. An office, as defined in this subdivision, when established must create and maintain positions for a minimum number of twenty-five new business facility employees as defined in subdivision (5) of this section;

(9) "Related taxpayer" shall mean:

(a) A corporation, partnership, trust or association controlled by the taxpayer;

(b) An individual, corporation, partnership, trust or association in control of the taxpayer; or

(c) A corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. For the purposes of sections 135.100 to 135.150, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote; "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association; and "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; ownership shall be determined as provided in section 318 of the U.S. Internal Revenue Code;

(10) "Replacement business facility", a facility otherwise described in subdivision (4) of this section, hereafter referred to in this subdivision as "new facility", which replaces another facility, hereafter referred to in this subdivision as "old facility", located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating on or before the close of the first taxable year in which the credit allowed by this section is claimed. A new facility shall be deemed to replace an old facility if the following conditions are met:

(a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's or related taxpayer's taxable period immediately preceding the taxable year in which commencement of commercial operations occurs at the new facility; and

(b) The old facility was employed by the taxpayer or a related taxpayer in the operation of a revenue producing enterprise and the taxpayer continues the operation of the same or substantially similar revenue producing enterprise at the new facility. Notwithstanding the preceding provisions of this subdivision, a facility shall not be considered a replacement business facility if the taxpayer's new business facility investment, as computed in subsection 5 of section 135.110, in the new facility during the tax period in which the credits allowed in sections 135.110, 135.225 and 135.235 and the exemption allowed in section 135.220 are claimed exceed one million dollars or, if less, two hundred percent of the investment in the old facility by the taxpayer or related taxpayer, and if the total number of employees at the new facility exceeds the total number of employees at the old facility by at least two except that the total number of employees at the new facility exceeds the total number of employees at the old facility by at least twenty-five if an office as defined in subdivision (8) of this section is established by a revenue producing enterprise other than a revenue producing enterprise defined in paragraphs (a) to (g) and (i) to (l) of subdivision (11) of this section;

(11) "Revenue producing enterprise" means:

(a) Manufacturing activities classified as SICs 20 through 39;

(b) Agricultural activities classified as SIC 025;

(c) Rail transportation terminal activities classified as SIC 4013;

(d) Motor freight transportation terminal activities classified as SIC 4231;

(e) Public warehousing and storage activities classified as SICs 422 and 423 except SIC 4221, miniwarehouse warehousing and warehousing self-storage;

(f) Water transportation terminal activities classified as SIC 4491;

(g) Wholesale trade activities classified as SICs 50 and 51;

(h) Insurance carriers activities classified as SICs 631, 632 and 633;

(i) Research and development activities classified as SIC 873, except 8733;

(j) Farm implement dealer activities classified as SIC 5999;

(k) Interexchange telecommunications services as defined in subdivision [(20)] **(24) or local exchange telecommunications services as defined in subdivision (31)** of section 386.020, RSMo, or training activities conducted by an interexchange telecommunications company **or by a local exchange telecommunications company** as defined in [subdivision (19)] **subdivisions (23) and (30)** of section 386.020, RSMo;

(l) Recycling activities classified as SIC 5093;

(m) Office activities as defined in subdivision (8) of this section, notwithstanding SIC classification;

(n) Mining activities classified as SICs 10 through 14;

(o) Computer programming, data processing and other computer-related activities classified as SIC 737;

(p) The administrative management of any of the foregoing activities; or

(q) Any combination of any of the foregoing activities;

(12) "Same or substantially similar revenue producing enterprise", a revenue producing enterprise in which the nature of the products produced or sold, or activities conducted, are similar in character and use or are produced, sold, performed or conducted in the same or similar manner as in another revenue producing enterprise;

(13) "SIC", the primary standard industrial classification as such classifications are defined in the 1987 edition of the Standard Industrial Classification Manual as prepared by the Executive Office of the President, Office of Management and Budget. For the purpose of this subdivision, "primary" means at least fifty percent of the activities so classified are performed at the new business facility during the taxpayer's tax period in which such tax credits are being claimed;

(14) "Taxpayer", an individual proprietorship, corporation described in section 143.441 or 143.471, RSMo, and partnership or an insurance company subject to the tax imposed by chapter 148, RSMo, or in the case of an insurance company exempt from the thirty percent employee requirement of section 135.230, to any obligation imposed pursuant to section 375.916, RSMo."; and

Further amend said bill, Page 21, Section 135.110, Line 7, by inserting after the word "company" the following: "**or local exchange telecommunications company**"

On motion of Representative Rizzo, House Amendment No. 2 was adopted.

Representative Days offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 1, In the Title, Line 5, by inserting after the number "135.208" the following: ", 620.1023"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 17, by inserting after the number "135.208" the following: ", 620.1023"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 2, Section A, Line 1, by inserting after the number "447.708," the number "620.1023,"; and

Further amend said bill, Page 61, Section 447.708, Line 12, by inserting after all of said line the following:

"620.1023. 1. There is hereby created in the state treasury a revolving fund to be administered by the department of economic development to be known as the "Business Extension Service Team Fund". The fund shall consist of all moneys which may be appropriated to it by the general assembly, gifts, contributions, grants or bequests received from federal, private or other sources. A percentage of the moneys in such fund shall be used by the department for grants or loans for qualified community development projects in order to create or retain jobs in any city not within a county [and]**,** any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county **and any fourth class city with a population of at least three thousand five hundred inhabitants but not more than five thousand five hundred inhabitants which is located in a county of the first classification with a charter form of government with a population of at least nine hundred thousand inhabitants**, and shall be targeted toward economically blighted urban districts for new

businesses, expansion of existing businesses and for employee training and housing. The department may require such grants or loans to be made on a matching fund basis. **Any city that receives funding from the business extension service team fund may use up to twenty percent of such grant or loan for administrative costs.** As used in this subdivision, "economically blighted urban districts" means areas which meet all of the following criteria:

(1) The area is one of pervasive poverty, unemployment, and general distress;

(2) The area is located wholly within an area which meets the requirements for federal assistance under section 119 of the Housing and Community Development Act of 1974, as amended;

(3) At least sixty-five percent of the residents living in the area have incomes below eighty percent of the median income of all residents within the state of Missouri according to the last decennial census or other appropriate source as approved by the director of the department of economic development;

(4) The resident population of the area is at least four thousand at the time of designation as an economically blighted urban district. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction; and

(5) The level of unemployment of persons, according to the most recent data available from the division of employment security or from the United States Bureau of Census and approved by the director of the department of economic development, within the area exceeds one and one-half times the average rate of unemployment for the state of Missouri over the previous twelve months, or the percentage of area residents employed on a full-time basis is less than fifty percent of the statewide percentage of residents employed on a full-time basis.

2. The department of economic development may use a percentage of the moneys in the fund established in subsection 1 of this section to directly contract with community development corporations established pursuant to section 135.400, RSMo, for the provision of job training or for creating or retaining jobs in any area meeting the criteria outlined in subsection 1 of this section.

3. All moneys remaining in the business extension service team fund at the end of the fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, RSMo, but shall remain in the business extension service team fund.".

On motion of Representative Days, House Amendment No. 3 was adopted.

Speaker Pro Tem Kreider resumed the Chair.

Representative Fitzwater offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 1, In the Title, Line 11, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 2, Section A, Line 1, by deleting the word and number "and 2" and inserting in lieu thereof the following: ", 2 and 3"; and

Further amend said bill, Page 67, Section 2, Line 10, by inserting after all of said line the following:

*"**Section 3. Notwithstanding any other provision of law to the contrary, any taxpayer having tax credits available pursuant to sections 135.200 to 135.256, RSMo, in connection with a facility or facilities located in Missouri producing from agricultural products alcohol, or fuel additives from alcohol, for incorporation into fuel or fuel additives may apply such credits against any and all of such taxpayer's tax liability imposed by chapter 143, RSMo, or chapter 148, RSMo, excluding withholding tax imposed by sections 143.191 to 143.261, RSMo, and***

such taxpayer may allocate all or any part of such credits to its shareholders, partners, members, substantial suppliers or substantial creditors, in any manner of allocation as such taxpayer shall determine. The maximum amount of tax credits allowable pursuant to the provisions of this section shall not annually exceed three million dollars.".

On motion of Representative Fitzwater, House Amendment No. 4 was adopted by the following vote:

AYES: 123

Auer Backer Ballard Barnett Barry 100
Bartelsmeyer Bartlett Bauer Berkstresser Bland
Boatright Bonner Boucher Burton Campbell
Carter Champion Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dougherty Edwards-Pavia Elliott
Farnen Fitzwater Foley Ford Franklin
Fritts Gaston Graham 106 Graham 24 Gratz
Green Griesheimer Gross Gunn Hagan-Harrell
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hickey
Hilgemann Hohulin Holand Hollingsworth Hosmer
Howerton Johnson Kasten Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Luetkenhaus Marble May 108 Mays 50
McBride McLuckie Merideth Miller Monaco
Murray Naeger O'Connor O'Toole Overschmidt
Parker Pouche Pryor Purgason Ransdall
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Sallee Scheve Schwab Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Stokan Stroker Summers Thomason 163
Thompson 37 Thompson 72 Townley Troupe Van Zandt
Vogel Wannenmacher Wiggins Williams 121 Williams 159
Wilson Wooten Mr. Speaker

NOES: 029

Akin Alter Broach Chrismer Cierpiot
Dolan Enz Evans Foster Froelker
Gaskill Gibbons Hall Hendrickson Kauffman
Linton Lograsso Loudon McClelland Murphy
Nordwald Ostmann Patek Reinhart Ross
Schilling Scott Steen Surface

PRESENT: 000

ABSENT WITH LEAVE: 010

Bennett Bray 84 Clayton Donovan Harlan

Hoppe Long Shear Stoll Treadway

VACANCIES: 001

Representative O'Connor offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 1, In the Title, Line 2, by deleting the word and number "section 32.110" and inserting in lieu thereof the following; "sections 32.110 and 137.115"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 15, by deleting the word and number "Section 32.110" and inserting in lieu thereof the following: "Sections 32.110 and 137.115"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 21, by inserting after the number "135.208," the number "137.115,"; and

Further amend said bill, Page 29, Section 135.208, Line 8, by inserting after all of said line the following:

"137.115. 1. All other laws to the contrary notwithstanding, the assessor or his deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in his city, county, town or district. Except as otherwise provided in subsection 3 of this section, he shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. He shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. He shall annually assess all real property in the following manner: New assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. He may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable real property in the county owned by the person, or under his care, charge or management, and all taxable tangible personal property owned by the person or under his care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If an assessment maintenance plan is agreed upon by the county assessor, the county governing body and the state tax commission within thirty days of submission to the state tax commission, the county shall be eligible for state cost-share funds as outlined in section 137.750. If the state tax commission fails to approve a plan within thirty days after the date submitted and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences within an additional thirty days, then the differences shall be submitted to the circuit court of the county involved for final resolution within an additional thirty days. The decision of the circuit court may be appealed pursuant to chapter 621, RSMo. In the event a valuation of

subclass (1) real property within any first class charter county, or within a city not within a county, is made by a computer, computer assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this paragraph, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percents of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles under section 301.131, RSMo, and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent; [and]

*(5) Poultry, twelve percent[.]**; and***

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(1) For real property in subclass (1), nineteen percent;

(2) For real property in subclass (2), twelve percent; and

(3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a "parcel" for the purpose of reimbursement under section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in his judgment will fairly estimate the true value in money of the motor vehicle.

10. If the assessor increases the assessed valuation of any parcel of subclass (1) real property by more than seventeen percent since the last assessment, excluding increases due to new construction or improvements, then the assessor shall conduct a physical inspection of such property.".

On motion of Representative O'Connor, House Amendment No. 5 was adopted.

Representative Smith offered House Amendment No. 6.

Representative Monaco requested a division of the question.

House Amendment No. 6 was withdrawn.

Representative Relford offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 54, Section 447.700.11.3, Line 20, by deleting the words, " "No Further Action" letter" and inserting in lieu thereof the words, "Letter of Completion".

On motion of Representative Relford, House Amendment No. 6 was adopted.

Representative Thomason (163) offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 1, In the Title, Line 2, by inserting after the number "32.110" the following: "section 260.285,"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 15, by inserting after the number "32.110" the following: "260.285,"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 24, by inserting after the number "135.208," the number "260.285,"; and

Further amend said bill, Page 29, Section 135.208, Line 8, by inserting after all of said line the following:

"260.285. 1. Any manufacturer engaged in this state in production of a meat or poultry food product intended

for human consumption that is recycling flexible cellulose casing manufactured from cotton linters used and consumed directly in the production of such food product shall be eligible for a credit as defined in subsection 2 of this section.

2. The credit authorized in subsection 1 shall be equal to the amount of state sales or use taxes paid by a manufacturer to a retailer on such packaging material which is subsequently recycled by either the manufacturer or other person or entity to which the manufacturer conveys such packaging materials, less any consideration received by the manufacturer for such conveyance.

3. A manufacturer shall claim the refund in the month following the month in which the material has been recycled or conveyed for recycling. When claiming a credit [under] ***pursuant to*** *this section, a manufacturer shall provide a detailed accounting of the amount of packaging material recycled, amount of sales or use tax paid on such material, an affidavit attesting that the manufacturer is eligible [under]* ***pursuant to*** *the provisions of this section for the credit being claimed and any other documentation determined necessary by the director of the department of revenue. The director shall refund any valid credit claims within sixty days of receipt. If the director determines that a fraudulent claim for the credit has been filed, the director may assess a penalty in an amount not to exceed twice the amount of fraudulent credits claimed.*

4. Payment of credits authorized by this section shall not alter the liability of a retailer regarding sales tax on such material. Credits authorized by this section shall be paid from funds appropriated for the refund of taxes.

5. This section shall become effective October 1, 1991. [This section shall expire October 1, 2001.]".

On motion of Representative Thomason (163), House Amendment No. 7 was adopted.

Representative Parker offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 67, Section 2, Line 10, of said page, by inserting immediately after said line the following:

"Section 3. For all tax years beginning on or after January 1, 1999, a grape grower or wine producer shall be allowed a tax credit against the state tax liability incurred pursuant to chapter 143, RSMo, exclusive of the provisions relating to the withholding of tax as provided in sections 143.191 to 143.265, RSMo, in an amount equal to twenty-five percent of the purchase price of all new equipment and materials used directly in the growing of grapes or the production of wine in the state. Each grower or producer shall apply to the department of economic development and specify the total amount of such new equipment and materials purchased during the calendar year. The department of economic development shall certify to the department of revenue the amount of such tax credit to which a grape grower or wine producer is entitled pursuant to this section. The provisions of this section notwithstanding, a grower or producer may only apply for and receive the credit authorized by this section for five tax periods"*; and,*

Further amend the title and enacting clause accordingly.

On motion of Representative Parker, House Amendment No. 8 was adopted.

Representative Wannenmacher offered House Amendment No. 9.

Representative Bray raised a point of order that House Amendment No. 9 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Gaston offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 29, Section 135.208, Line 8, by inserting after said line the following new subsection:

*"**8. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone for any fourth class city with a population of at least five hundred but not more than six hundred inhabitants, and which city is located in to third class counties, one with a population of at least seven thousand but not more than eight thousand inhabitants, and the other county with a population of at least twenty thousand but not more than twenty-two thousand inhabitants, such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all in the requirements of section 135.205.**"*

On motion of Representative Gaston, House Amendment No. 9 was adopted.

Representative Howerton offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 1, In the Title, Line 2, by deleting the word and number "section 32.110" and inserting in lieu thereof the following: "sections 32.110 and 135.256"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 15, by deleting the word and number "Section 32.110"; and

Further amend said bill, Page 1, Section A, Line 20, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 21, by inserting after the number "135.208," the number "135.256,"; and

Further amend said bill, Page 29, Section 135.208, Line 8, by inserting after all of said line the following:

*"135.256. **1.** In addition to the number of enterprise zones authorized under the provisions of sections 135.206 and 135.210, the department of economic development shall designate one such zone in every city of the third class in every county of the third class which contains a state university whose primary mission is engineering studies and technical research**, in any third class city with a population of at least two thousand three hundred but not more than three thousand inhabitants located in a county of the fourth classification with a population of at least forty-two thousand but not more than forty-eight thousand inhabitants, and in any fourth class city with a population of at least one thousand but not more than one thousand five hundred inhabitants located in a county of the third classification with a population of eight thousand but not more than nine thousand inhabitants that adjoins three counties of the third classification with a township form of government and also three counties of the third classification without a township form of government**. Such enterprise zone designation shall only be made if the area in the city which is to be included meets all the requirements of section 135.205.".*

On motion of Representative Howerton, House Amendment No. 10 was adopted.

Representative Gratz offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 29, Section 135.208, Line 8, by inserting immediately after said line the following:

"135.444. 1. For all tax years beginning on or after January 1, 1999, any person, firm or corporation engaging in the business of conducting games of bowling in bowling alleys located in Missouri shall be eligible for a tax credit on incomes taxes otherwise due pursuant to chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, in an amount equal to ten percent of the purchase price of machinery, equipment and other tangible personal property required to conduct games of bowling in bowling alleys.

2. When applying for a tax credit pursuant to this section, the person, firm or corporation shall make application for the credit to the director of the department of economic development. The director of the department of economic development shall prescribe the method for submitting applications to claim the credit and shall certify to the department of revenue that the taxpayer has made qualified purchases.

3. Any amount of credit which exceeds the tax due shall not be refunded but may be carried over to any subsequent taxable year, not to exceed four years.

4. Pursuant to rules promulgated by the director of the department of revenue for the state income tax, the taxpayer may elect to assign to a third party the approved tax credit. Certification of assignment and other appropriate forms shall be filed with the department of revenue.

5. The provisions of this section shall not apply to:

(1) Excursion gambling boats licensed pursuant to sections 313.800 to 313.850, RSMo;

(2) Any corporation owning more than three bowling alleys in this state; or

(3) Any person, firm or corporation that applies for the credit allowed by this section on or after January 1, 2005."

Amend title and enacting clause accordingly.

On motion of Representative Gratz, House Amendment No. 11 was adopted.

Representative Ladd Stokan offered House Amendment No. 12.

Representative Foley raised a point of order that House Amendment No. 12 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Kennedy offered House Amendment No. 12.

Representative Bray raised a point of order that House Amendment No. 12 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Wiggins offered House Amendment No. 12.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 29, Section 135.208, Line 8, by inserting immediately after said line the following:

135.400. As used in sections 135.400 to 135.430, the following terms mean:

(1) "Certificate", a tax credit certificate issued by the department of economic development in accordance with sections 135.400 to 135.430;

(2) "Community bank", either a bank community development corporation or development bank, which are financial organizations which receive investments from commercial financial institutions regulated by the federal reserve, the office of the comptroller of the currency, the office of thrift supervision, or the Missouri division of finance. Community banks, in addition to their other privileges, shall be allowed to make loans to businesses or equity investments in businesses or in real estate provided that such transactions have associated public benefits;

(3) "Community development corporation", a not for profit corporation and a recipient of Community Development Block Grant (CDBG) funds pursuant to the Housing Community Development Act of 1974. Such corporations design specific, comprehensive programs to stimulate economic development, housing or other public benefits leading to the development of economically sustainable neighborhoods or communities;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of the department of economic development, or a person acting under the supervision of the director;

(6) "Investment", a transaction in which a Missouri small business or a community bank receives a monetary benefit from an investor [under] ***pursuant to*** *the provisions of sections 135.403 to 135.414;*

(7) "Investor", an individual, partnership, financial institution, trust or corporation meeting the eligibility requirements of sections 135.403 to 135.414. In the case of partnerships and nontaxable trusts, the individual partners or beneficiaries shall be treated as the investors;

*(8) "Missouri small business", an independently owned and operated business as defined in Title 15 U.S.C. section 632(a) and as described by Title 13 C.F.R. Part 121, which is headquartered in Missouri and which employs at least eighty percent of its employees in Missouri, except that no such small business shall employ more than one hundred employees. Such businesses must be involved in interstate or intrastate commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, insurance or professional services. For the purpose of qualifying for the tax credit pursuant to sections 135.400 to 135.430, "Missouri small business" shall include cooperative marketing associations organized pursuant to chapter 274, RSMo, which are engaged in the business of producing and marketing fuels derived from agriculture commodities, without regard for whether a cooperative marketing association has more than one hundred employees****. Cooperative marketing associations organized pursuant to chapter 274, RSMo, shall not be required to comply with the requirements of section 135.414****;*

(9) "Primary employment", work which pays at least the minimum wage and which is not seasonal or part-time;

(10) "Principal owners", one or more persons who own an aggregate of fifty percent or more of the Missouri small business and who are involved in the operation of the business as a full-time professional activity;

(11) "Project", any commercial or industrial business or other economic development activity undertaken in a target area, designed to reduce conditions of blight, unemployment or widespread reliance on public assistance which creates permanent primary employment opportunities;

(12) "State tax liability", any liability incurred by a taxpayer [under] ***pursuant to*** *the provisions of chapter 143, RSMo, chapter 147, RSMo, chapter 148, RSMo, section 375.916, RSMo, and chapter 153, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions;*

(13) "Target area", a group of blocks or a self-defined neighborhood where the rate of poverty in the area is greater than twice the national poverty rate and as defined by the department of social services in conjunction with the department of economic development. Areas of the state satisfying the criteria of this subdivision may be designated as a "target area" following appropriate findings made and certified by the departments of economic development and social services. In making such findings, the departments of economic development and social services may use any commonly recognized records and statistical indices published or made available by any agency or instrumentality of the federal or state government. No area of the state shall be a target area until so certified by the department of social services and the revitalization plan submitted pursuant to section 208.335, RSMo, has received approval.

And amend title and enacting clause accordingly.

On motion of Representative Wiggins, House Amendment No. 12 was adopted.

Representative Bartelsmeyer offered House Amendment No. 13.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 65, Section 2, Line 8, by deleting the figure "1999" found on said line and inserting in lieu thereof the figure "1998".

On motion of Representative Bartelsmeyer, House Amendment No. 13 was adopted.

Representative Levin offered House Amendment No. 14.

Speaker Gaw assumed the Chair.

Representative Rizzo raised a point of order that House Amendment No. 14 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hosmer offered House Amendment No. 14.

Representative Rizzo raised a point of order that House Amendment No. 14 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Speaker Pro Tem Kreider resumed the Chair.

Representative Hartzler offered House Amendment No. 14.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 34, Section 447.700, Line 1, by deleting the word "or" and deleting lines 2-5.

Representative Troupe offered House Substitute Amendment No. 1 for House Amendment No. 14.

House Substitute Amendment No. 1

for

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 34, Section 447.700, Lines 1-5, by inserting after the word "occur" on line 5, the following:

*"**, if approval from the general assembly has been given for any improvements to, or remediation, lease or sale of said property;**"*

On motion of Representative Troupe, House Substitute Amendment No. 1 for House Amendment No. 14 was adopted.

Representative Clayton offered House Amendment No. 15.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 1, In the Title, Line 2 of said page, by inserting after "Supp. 1997," the following: "and sections 253.557 and 253.559 as enacted by senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly and approved by the

governor,"; and

Further amend said bill, Page 1, In the Title, Line 11 of said page, by deleting the word "thirteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, Section A, Line 15 of said page by inserting after "Supp. 1997," the following: "and sections 253.557 and 253.559 as enacted by senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly and approved by the governor,"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by deleting the word "thirteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, Section A, Line 21 of said page, by inserting after the figure "135.208," the figures "253.557, 253.559,"; and

Further amend said bill, Page 29, Section 135.208, Line 8 of said page, by inserting after all of said line the following:

"253.557. ***1.*** *If the amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to any of the three preceding years or carried forward for credit against the taxes imposed pursuant to chapter 143, RSMo,* ***and chapter 148, RSMo,*** *except for sections 143.191 to 143.265, RSMo, for the succeeding ten years, or until the full credit is used, whichever occurs first.* ***The tax credit can be transferred, sold or assigned.*** *Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners respectively pro rata or pursuant to an executed agreement among the partners, members or owners documenting an alternate distribution method.*

2. Notwithstanding any provision of law to the contrary, any entity which is not for profit, excluding religious and governmental institutions, may sell, assign, exchange, convey or otherwise transfer tax credits allowed pursuant to section 253.550 under the terms and conditions prescribed in this subsection. Such entity, hereinafter the assignor for the purposes of this subsection, may sell, assign, exchange or otherwise transfer earned tax credits.

The assignee of the tax credits, hereinafter the assignee for purposes of this subsection, may use acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed pursuant to chapter 143, RSMo, and chapter 148, RSMo, except for sections 143.191 to 143.265, RSMo. Unused credits in the hands of the assignee may be carried forward and carried back in accordance with subsection 1 of this section. The assignor shall enter into a written agreement with the assignee establishing the terms and conditions of the agreement and shall perfect such transfer by notifying the department of economic development in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department of economic development to administer and carry out the provisions of this section. Notwithstanding any provision of law to the contrary, the excess of the par value of such credits over the amount paid by the assignee for such credit shall be taxable as income of the assignee. The aggregate of all tax credits authorized pursuant to the provisions of this subsection per eligible property shall not exceed twenty-one million dollars per fiscal year. Fourteen million dollars of such credits shall be reserved for projects which individually are earned credits of five hundred thousand dollars or more. Seven million dollars of such credits shall be reserved for projects which individually are earned to credits of less than five hundred thousand dollars. The department of economic development with the approval of the department of natural resources shall promulgate rules to implement the provisions of this subsection, including the establishment of selection criteria.

3. The provisions of subsection 2 of this section shall expire December 31, 2003.

253.559. 1. To claim the credit authorized pursuant to sections 253.550 to 253.561 ***of senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly and section 253.557 of this act****, the taxpayer shall apply to the department of economic development which, in consultation with the department of natural resources, shall determine the amount of eligible rehabilitation costs and expenses and whether the rehabilitation meets the standards of the Secretary of the United States Department of the Interior* ***for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. For financial institutions credits authorized pursuant to sections 253.550 to 253.561 shall be deemed to be "economic development credits" for purposes of section 148.064, RSMo****. The issuing of certificates of eligible credits to taxpayers shall be performed by the department of economic development. The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed.*

2. The department of economic development shall determine, on an annual basis, the overall economic

impact to the state from the rehabilitation of eligible property.".

On motion of Representative Clayton, House Amendment No. 15 was adopted.

Representative Hosmer offered House Amendment No. 16.

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for Senate Bill No. 827, Page 267, Section 2, Line 10, by inserting after said line the following new section:

*"**Section 3. By the effective date of this act, the speaker of the house of representatives shall appoint 9 members of the house, not more than five of whom shall be from the same political party, to evaluate all tax credit programs administered by the department of economic development. Such interim committee shall submit a report with recommendations concerning such tax credit programs by March 1, 1999, to the speaker of the house of representatives.**"*

On motion of Representative Hosmer, House Amendment No. 16 was adopted.

*On motion of Representative Rizzo, **HS HCS SB 827, as amended**, was adopted.*

*On motion of Representative Rizzo, **HS HCS SB 827, as amended,** was read the third time and passed by the following vote:*

AYES: 113

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Berkstresser Bland

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Elliott Farnen Fitzwater

Foley Foster Franklin Fritts Gaston

Graham 106 Graham 24 Gratz Green Griesheimer

Gunn Hagan-Harrell Hall Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Hollingsworth

Howerton Johnson Kasten Kelley 47 Kelly 27

Kennedy Kissell Koller Kreider Lawson

Levin Liese Lograsso Luetkenhaus May 108

Mays 50 McBride McLuckie Merideth Monaco

Murray O'Connor O'Toole Overschmidt Parker

Pouche Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Ross

Scheve Schwab Scott Seigfreid Shelton 57

Skaggs Smith Stoll Stroker Summers

Surface Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Vogel Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 035

Akin Ballard Boatright Champion Chrismer

Edwards-Pavia Enz Evans Froelker Gibbons

Harlan Hartzler 123 Hartzler 124 Holand Hosmer

Kauffman Klindt Legan Linton Long

Loudon Marble McClelland Miller Murphy

Nordwald Ostmann Patek Robirds Sallee

Schilling Secrest Steen Stokan Townley

PRESENT: 000

ABSENT WITH LEAVE: 014

Bennett Ford Gaskill Gross Hoppe

Lakin Leake Naeger Pryor Shear

Sheldon 104 Shields Thomason 163 Wannenmacher

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Lawson, title to the bill was agreed to.

Representative Johnson moved that the vote by which the bill passed be reconsidered.

Representative DeMarce moved that motion lay on the table.

The latter motion prevailed.

***HCS SCS SBs 614, 696, 906, 530, 912 & 914**, relating to judiciary, was taken up by Representative May (108).*

*Representative May (108) offered **HS HCS SCS SBs 614, 696, 906, 530, 912 & 914.***

Representative May (108) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 614, 696, 906, 530, 912 & 914, Page 1, In the Title, Line 3 of said page, by deleting the number "320.121,"; and

Further amend said bill, Page 1, In the Title, Line 12 of said page, by deleting the word "forty-six" and inserting in lieu thereof the word "forty-five"; and

Further amend said bill, Page 1, Section A, Line 18 of said page, by deleting the number "320.121,"; and

Further amend said bill, Page 2, Section A, Line 4 of said page, by deleting the word "forty-six" and inserting in lieu thereof the word "forty-five"; and

Further amend said bill, Page 2, Section A, Line 6 of said page, by deleting the number "320.121,"; and

Further amend said bill, Pages 28 and 29, Section 320.121, by deleting all of said section.

On motion of Representative May (108), House Amendment No. 1 was adopted.

Representative May (108) offered House Amendment No. 2.

House Amendment No. 2

*AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 614, 696, 906, 530, 912 & 914, Page 7, Section 57.280, by deleting the word "**or**" from line 1; and deleting all of Line 2 and inserting in lieu thereof the word "**and**".*

Representative Thomason (163) offered House Substitute Amendment No. 1 for House Amendment No. 2.

Representative May (108) raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 2 is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Thomason (163) offered House Substitute Amendment No. 1 for House Amendment No. 2.

Representative May (108) raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 2 is not a true substitute amendment.

The Chair ruled the point of order well taken.

On motion of Representative May (108), House Amendment No. 2 was adopted.

Representative May (108) offered House Amendment No. 3.

House Amendment No. 3

*AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 614, 696, 906, 530, 912 & 914, Page 28, Section 213.111, Line 11, by deleting the word "**Such**" and inserting in lieu thereof the following: "**If the employer party to the action employs fifteen or more persons, such**".*

Representative Kissell offered House Substitute Amendment No. 1 for House Amendment No. 3.

House Substitute Amendment No. 1

for

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos.

*614, 696, 906, 530, 912 & 914, Page 28, Section 213.111, Line 9, by deleting the word "Such" and inserting in lieu thereof the following: "**If the employer party to the action employs twenty or more persons, such**".*

On motion of Representative Kissell, House Substitute Amendment No. 1 for House Amendment No. 3 was adopted by the following vote:

AYES: 081

Backer Barry 100 Bartlett Bauer Bland

Boucher Bray 84 Campbell Carter Cierpiot

Clayton Crump Daniels 41 Davis 122 Davis 63

Days DeMarce Dougherty Farnen Fitzwater

Foley Ford Franklin Fritts Graham 24

Green Gunn Hagan-Harrell Hall Harlan

Heckemeyer Hickey Hilgemann Hollingsworth Hoppe

Hosmer Johnson Kelly 27 Kennedy Kissell

Kreider Lakin Lawson Liese Lograsso

Luetkenhaus May 108 Mays 50 McBride McLuckie

Monaco Murray O'Connor O'Toole Overschmidt

Parker Ransdall Relford Reynolds Ridgeway

Rizzo Ross Scheve Schilling Sheldon 104

Shelton 57 Skaggs Smith Stokan Stoll

Stroker Thompson 37 Thompson 72 Troupe Van Zandt

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 074

Akin Alter Auer Ballard Barnett

Bartelsmeyer Bennett Berkstresser Boatright Broach

Burton Champion Chrismer Cooper Crawford

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Foster Froelker Gaskill Gaston

Gibbons Graham 106 Gratz Griesheimer Hartzler 123

Hartzler 124 Hegeman Hendrickson Hohulin Holand

Howerton Kasten Kauffman Kelley 47 Klindt

Koller Legan Levin Linton Long

Loudon Marble McClelland Merideth Miller

Murphy Naeger Nordwald Ostmann Patek

Pouche Purgason Reinhart Richardson Robirds

Sallee Schwab Scott Secrest Seigfreid

Shields Steen Summers Surface Thomason 163

Townley Treadway Vogel Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 007

Bonner Copeland Daniel 42 Gross Leake

Pryor Shear

VACANCIES: 001

Representative Scott requested a verification of the roll call on the adoption of House Substitute Amendment No. 1 for House Amendment No. 3.

Speaker Gaw resumed the Chair.

Speaker Pro Tem Kreider resumed the Chair.

HCS SCS SBs 614, 696, 906, 530, 912 & 914, with HS as amended, pending, *was laid over.*

MOTION

HCS SB 787, as amended, relating to micro-enterprise development, was taken up by Representative Riback Wilson.

Representative Riback Wilson moved that the House refuse to recede from its position on HCS SB 787, as amended, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 787: Representatives Riback Wilson, Gunn, Boucher, McClelland and Holand

COMMITTEE REPORT

Committee on Urban Affairs, Chairman Thompson (37) reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred SCS SB 802, begs leave to report it has examined the same and recommends that it Do Pass.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1229, entitled:

An act to repeal section 105.927, RSMo 1994, relating to the state deferred compensation program, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS HS HB 1694, entitled:

An act to amend chapter 166, RSMo, and chapter 173, RSMo, by adding thereto nineteen new sections relating to financial assistance for certain students, with an effective date for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1694, Page 2, Section 166.410, Line 11, by inserting the following:

"(4) "Financial institution", a bank, insurance company or registered investment company;"

Further amend said section by renumbering the remaining subsections accordingly;

And, further amend page 4, section 166.415, line 3, by inserting after the word "participants", the following:

", either directly or through a contractual arrangement with a financial institutions for investment services,".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1694, Page 11, Section 166.455, Line 10, by inserting immediately after said line the following:

"173.241. 1. Any Missouri resident who is at least sixty-five years of age on or before August first of a school year and who possesses the qualifications set forth in this section shall be awarded a scholarship to a state educational institution, as the term is defined in section 176.010, RSMo, of the person's choice. Such scholarship shall consist of an exemption from tuition at the institution attended. Persons seeking a scholarship pursuant to this section shall provide documentation of age to the institution attended and shall satisfy all other necessary entrance requirements of the school of their choice in order to be eligible to receive a scholarship.

2. Certification and eligibility for the tuition benefits provided under this section, including satisfaction of applicable entrance requirements, shall be determined by the chosen educational institution.

3. Each state educational institution shall determine the number of students who may receive the tuition benefit based on available class space after tuition-paying students have enrolled. No institution shall be required to provide tuition benefits to any person if the institution is already providing tuition benefits to at least as many students as the number of students established pursuant to this subsection.

4. If a recipient of a scholarship pursuant to this section is found no longer eligible for tuition benefits under this section by the institution while enrolled in a course of study, the scholarship shall be terminated on the date the member is found no longer eligible for tuition benefits.

5. A person receiving a scholarship pursuant to this section shall take all tuition-free courses on a non-credit basis and shall satisfy all course prerequisites of the institution.

6. An institution may charge a registration fee, not to exceed twenty-five dollars per semester, from any person receiving a scholarship at that institution pursuant to this section."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1694, Page 11,

Section 166.455, Line 10, by inserting after all of said line the following:

"173.260. 1. As used in this section, unless the context clearly requires otherwise, the following terms mean:

(1) "Board", the coordinating board for higher education;

(2) "Eligible child", the natural, adopted or stepchild of a public safety officer or employee, as defined in this section, who is less than twenty-four years of age and who is a dependent of a public safety officer or employee or was a dependent at the time of death or permanent and total disability of a public safety officer or employee;

(3) "Employee", any full-time employee of the department of highways and transportation engaged in the construction or maintenance of the state's highways, roads and bridges;

(4) "Grant", the public safety officer or employee survivor grant as established by this section;

(5) "Institution of postsecondary education", any approved public or private institution as defined in section 173.205;

(6) "Line of duty", any action of a public safety officer, whose primary function is crime control or reduction, enforcement of the criminal law, or suppression of fires, is authorized or obligated by law, rule, regulation or condition of employment or service to perform;

[(6)] (7) "Public safety officer", any firefighter, police officer, capitol police officer, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer or highway patrolman employed by the state of Missouri or a political subdivision thereof who is killed or permanently and totally disabled in the line of duty;

(8) "Permanent and total disability", a disability which renders a person unable to engage in any gainful work;

(9) "Spouse", the husband, wife, widow or widower of a public safety officer or employee at the time of death or permanent and total disability of such public safety officer;

[(7)] (10) "Tuition", any tuition or incidental fee or both charged by an institution of postsecondary education, as defined in this section, for attendance at that institution by a student as a resident of this state.

2. Within the limits of the amounts appropriated therefor, the coordinating board for higher education shall provide, as defined in this section, a grant for either of the following to attend an institution of postsecondary education:

(1) An eligible child of a public safety officer or employee killed or permanently and totally disabled in the line of duty [to attend an institution of postsecondary education.]; or

(2) A spouse of a public safety officer killed or permanently and totally disabled in the line of duty.

3. An eligible child or spouse may receive a grant under this section only so long as the child or spouse is enrolled in a program leading to a certificate, or an associate or baccalaureate degree. In no event shall a child or spouse receive a grant beyond the completion of the first baccalaureate degree or, in the case of a child, age twenty-four years, except that the child may receive a grant through the completion of the semester or similar grading period in which the child reaches his twenty-fourth year. No child or spouse shall receive more than one hundred percent of tuition when combined with similar funds made available to such child or spouse.

4. The coordinating board for higher education shall:

(1) Promulgate all necessary rules and regulations for the implementation of this section;

(2) Determine minimum standards of performance in order for a child or spouse to remain eligible to receive a grant under this program;

(3) Make available on behalf of an eligible child or spouse an amount toward the child's or spouse's tuition which is equal to the grant to which the child or spouse is entitled under the provisions of this section;

(4) Provide the forms and determine the procedures necessary for an eligible child or spouse to apply for and receive a grant under this program.

5. An eligible child or spouse who is enrolled or has been accepted for enrollment as an undergraduate postsecondary student at an approved institution of postsecondary education shall receive a grant in an amount not to exceed the least of the following:

(1) The actual tuition, as defined in this section, charged at an approved institution where the child or spouse is enrolled or accepted for enrollment; or

(2) The amount of tuition charged a Missouri resident at the University of Missouri for attendance as a full-time

student, as defined in section 173.205.

6. An eligible child or spouse who is a recipient of a grant may transfer from one approved public or private institution of postsecondary education to another without losing his entitlement under this section. The board shall make necessary adjustments in the amount of the grant. If a grant recipient at any time withdraws from the institution of postsecondary education so that under the rules and regulations of that institution he is entitled to a refund of any tuition, fees, or other charges, the institution shall pay the portion of the refund to which he is entitled attributable to the grant for that semester or similar grading period to the board.

7. If an eligible child or spouse is granted financial assistance under any other student aid program, public or private, the full amount of such aid shall be reported to the board by the institution and the eligible child or spouse.

8. Nothing in this section shall be construed as a promise or guarantee that a person will be admitted to an institution of postsecondary education or to a particular institution of postsecondary education, will be allowed to continue to attend an institution of postsecondary education after having been admitted, or will be graduated from an institution of postsecondary education.

9. A public safety officer who is permanently and totally disabled shall be eligible for a grant pursuant to the provisions of this section.

10. An eligible child of a public safety officer or employee, spouse of a public safety officer or public safety officer shall cease to be eligible for a grant pursuant to this section when such public safety officer or employee is no longer permanently and totally disabled."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1694, Page 18, Section 173.796, Line 2, by inserting after said line the following:

"Section 1. 1. The coordinating board for higher education shall establish, by rule, a tuition prepayment program which shall allow a parent, guardian or other responsible person to contribute, on behalf of a child, a fixed annual amount beginning when the child is three years of age for a period of fifteen years. Upon payment of the final annual installment, the child shall, if otherwise qualified to attend such school, be entitled to attend any campus of the state university for up to four years of full-time attendance or an equivalent amount of attendance with a complete exemption from all tuition and other related fees. If a payment is not made for a year for which a payment is otherwise required pursuant to this section, the payee may opt to make a double payment the following year and maintain eligibility for full tuition benefits or to agree, in writing, to continue to make the regular annual payments in all required succeeding years, including such following year, in exchange for a prorated tuition exemption according to a schedule established by the coordinating board.

2. The board shall establish the amount of contributions required, the terms and conditions for such contributions and any applicable penalties for withdrawal. Penalties for early withdrawal may include part or all of any interest accrued, but the principal paid shall be refunded in its entirety upon any such withdrawal. The board shall have all powers necessary to administer the program established pursuant to this section.

3. The assets of the program shall be preserved, invested and expended only for the purposes of this section and according to approved agreements, and no property rights therein shall exist in favor of the state.

4. The assets of the program and the assets of any similar plan qualified pursuant to Section 529 of the Internal Revenue Code and any income therefrom shall be exempt from all taxation by the state or any of its political subdivisions. Income earned or received from the program and any benefits received by any participant or beneficiary shall not be subject to state income tax and shall be eligible for any benefits provided in accordance with the savings plan provisions of the Internal Revenue Code. The exemption from taxation pursuant to this section shall apply only to assets and income maintained, accrued, or expended pursuant to the requirements of the program established pursuant to this section and benefits received pursuant to the provisions of this section and the applicable provisions of the Internal Revenue Code, and no exemption shall apply to assets and income expended for any other purposes or to funds withdrawn from the program. Contributions made to the program shall not be counted towards the calculation of gross income for state income tax purposes.

5. The provisions of this section shall apply to tax years beginning on or after January 1, 1999.

6. Any rule or portion of a rule promulgated pursuant to this section shall become effective only if it has been promulgated pursuant to chapter 536, RSMo."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS HS HCS HBs 1237, 1409, 1166, 1154 & 1491, entitled:

An act to repeal sections 287.030, 287.035, 287.061, 287.090, 287.123, 287.128, 287.140, 287.160, 287.170, 287.190, 287.197, 287.210, 287.220, 287.250, 287.270, 287.337, 287.380, 287.430, 287.460, 287.480, 287.495, 287.530, 287.610, 287.615 and 287.640, RSMo 1994, and sections 287.280 and 287.650, RSMo Supp. 1997, relating to workers' compensation, and to enact in lieu thereof twenty-nine new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1876, entitled:

An act to repeal section 275.350, RSMo 1994, relating to funds in the commodity merchandising program, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

CONFERENCE COMMITTEE REPORT

ON

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1272

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Bill No. 1272, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 1272;

2. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1272;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1272 be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Craig Hosmer /s/ Wayne Goode

/s/ Mike Schilling /s/ Morris Westfall

/s/ Carol Stroker /s/ Roseann Bentley

/s/ Chuck Wooten /s/ William Clay

/s/ Roy W. Holand /s/ Sidney Johnson

CONFERENCE COMMITTEE REPORT

ON

HOUSE SUBSTITUTE NO. 2

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILLS NOS. 675, 483, 490 & 564

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 675, 483, 490 & 564, with House Substitute Amendment No. 1 for House Amendment No. 2, House Substitute Amendment No. 1 for House Amendment No. 3, House Amendment No. 4 and House Amendment No. 5; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 675, 483, 490 & 564, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 675, 483, 490 & 564;

3. That the attached Conference Committee Substitute for House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 675, 483, 490 & 564 be adopted;

4. That the attached Conference Committee Substitute for House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 675, 483, 490 & 564 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ May Scheve /s/ Sidney Johnson

/s/ Joan Bray /s/ Harry Wiggins

/s/ Steve Gaw /s/ Bill McKenna

/s/ Don Lograsso /s/ Doyle Childers

/s/ Carl Vogel /s/ Walt Mueller

CONFERENCE COMMITTEE REPORT NO. 2

ON

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 809

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Bill No. 809, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 809;

2. That the Senate recede from its position on Senate Bill No. 809;

3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Bill No. 809 be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Thomas Hoppe /s/ David Klarich

/s/ May Scheve /s/ John E. Scott

/s/ David L. Reynolds /s/ Steve Ehlmann

/s/ David Levin /s/ Danny Staples

/s/ William Clay

CONFERENCE COMMITTEE REPORT

ON

SENATE BILL NO. 945

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on Senate Bill No. 945, with House Amendment No. 1; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Amendment No. 1;

2. That the Senate recede from its position on Senate Bill No. 945;

3. That the attached Conference Committee Substitute for Senate Bill No. 945 be adopted; and

4. That Conference Committee Substitute for Senate Bill No. 945 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Larry Thomason /s/ Jerry T. Howard

/s/ Sam Leake /s/ Harold Caskey

/s/ Marilyn Williams /s/ Mike Lybyer

/s/ Jim Howerton /s/ Doyle Childers

/s/ James Graham /s/ Betty Sims

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, May 13, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-first Day, Monday, May 11, 1998, pages 1671 and 1672, roll call, by showing Representatives Bennett and Kelly (27) voting "aye" rather than "absent with leave".

Pages 1672 and 1673, roll call, by showing Representatives Days and Howerton voting "aye" rather than "absent with leave".

Pages 1673 and 1674, roll call, by showing Representatives Franklin, Loudon and Summers voting "aye" rather than "absent with leave".

Page 1674, roll call, by showing Representatives Donovan and Scott voting "aye" rather than "absent with leave".

Page 1675, roll call, by showing Representatives Champion, Donovan, Franklin and Kelly (27) voting "aye" rather than "absent with leave".

Page 1676, roll call, by showing Representatives Days, Donovan, Franklin, Kauffman and Kelly (27) voting "aye" rather than "absent with leave".

Page 1677, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1677 and 1678, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1679 and 1680, roll call, by showing Representatives Hosmer and Secrest voting "aye" rather than "absent with leave".

Page 1682, roll call, by showing Representatives Hoppe and Hosmer voting "no" rather than "absent with leave".

Pages 1683 and 1684, roll call, by showing Representatives Hosmer, Loudon and Secrest voting "no" rather than "absent with leave".

Page 1699, roll call, by showing Representatives Hoppe and Kissell voting "aye" rather than "absent with leave".

Pages 1700 and 1701, roll call, by showing Representatives Kissell, Long, Naeger and Surface voting "aye" rather than "absent with leave".

Pages 1704 and 1705, roll call, by showing Representatives Enz, Hendrickson and Hoppe voting "no" rather than "aye".

Pages 1706 and 1707, roll call, by showing Representative Kissell voting "aye" rather than "absent with leave".

Pages 1708 and 1709, roll call, by showing Representatives Dougherty and Long voting "aye" rather than "absent with leave".

Page 1711, roll call, by showing Representatives Long and Surface voting "aye" rather than "absent with leave".

Pages 1711 and 1712, roll call, by showing Representative Fitzwater voting "aye" rather than "absent with leave".

Pages 1711 and 1712, roll call, by showing Representatives Long and Surface voting "no" rather than "absent with leave".

Pages 1712 and 1713, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Wednesday, May 13, 1998, 9:00 am. Hearing Room 9. Executive session on bills in budget.

To be considered - SB 641, SB 745, SB 532

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, May 13, 1998, 9:00 am. Hearing Room 7. Executive session. CANCELLED

To be considered - HCR 29

HOUSE CALENDAR

Seventy-third Day, Wednesday, May 13, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

3 HJR 41 - Kelly (27)

4 HJR 31 - Graham (24)

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040, 1554, 1252, 1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

13 HB 1871 - Bland

14 HCS HB 1139 - Green

15 HCS HB 1078 & 1568 - Van Zandt

16 HCS HB 1678 - Wiggins

17 HB 1689, HCA 1 - Murray

18 HCS HB 1163,1211,1225 & 1660 - Parker

19 HCS HB 1768 - Franklin

20 HB 1553, HCA 1 - Foley

21 HCS HB 988 - Boucher

22 HCS HB 925 - Johnson

23 HB 993 - Bray

24 HB 939 - Backer

25 HB 1028 - Kissell

26 HCS HB 1065,1180 & 1121 - Smith

27 HB 1634 - May (108)

28 HCS HB 1546, 1305 & 1275 - Scheve

29 HCS HB 1104 - Treadway

30 HCS HB 1034 - Campbell

31 HCS HB 1056, 905, 1538 & 1130 - Troupe

32 HCS HB 1067,1254, 1358, 1359, 1370 & 1575 - Parker

33 HCS HB 1075 - Kreider

34 HCS HB 1127,1399,990 & 935 - May (108)

35 HCS HB 1135 & 991 - Luetkenhaus

36 HCS HB 1140 & 1329 - Green

37 HB 1199 - Treadway

38 HCS HB 1222 & 1347 - Farnen

39 HB 1231, HCA 1 - Dougherty

40 HB 1244, HCA 1 - Riback Wilson

41 HCS HB 1248,1461,1502,1529 & 1530 - Clayton

42 HCS HB 1327 - Reynolds

43 HCS HB 1361 - Treadway

44 HCS HB 1337 - Reinhart

45 HB 1603 - Champion

46 HCS HB 1297 & 1495 - Levin

47 HCS HB 1384,982 & 954 - Stoll

48 HB 1394, HCA 1 - Dougherty

49 HB 1443 - May (108)

50 HB 1450 - Barry

51 HB 1467, HCA 1 - Champion

52 HCS HB 1618 & 953 - Thomason (163)

53 HCS HB 1628 - Seigfreid

54 HCS HB 1648 & 1709 - Crump

55 HB 1729 - Scheve

56 HB 1759, HCA 1 - Wiggins

57 HCS HB 942 - Long

58 HCS HB 1771 - Stoll

59 HCS HB 1774 - Lakin

60 HB 1922 - Berkstresser

61 HB 1855 - Hosmer

62 HB 1314 - Wiggins

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

3 HCS HB 1674, HS#2, as amended, pending, - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1124 - Days

3 HS HB 1796 - Harlan

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR THIRD READING

1 HCS SB 615, HS, as amended, pending - Treadway

2 SB 743 - Hoppe

3 HCS SCS SB 614, 696, 906, 530, 912 & 914, HS, a.a., pending - May (108)

4 HCS SB 680 - May (108)

5 HCS SB 936 - Bray

6 SCS SB 561, HCA 1 - Boucher

7 HCS SS SCS SB 583 & 645 - Thomason (163)

8 HCS SB 619 - Stoll

9 HCS SB 674 - Riback Wilson

10 HCS SS SB 792 - Liese

11 HCS SCS SB 922 - Luetkenhaus

12 HCS SCS SB 659 - Crump

13 HCS SS SCS SB 651 - Dougherty

14 HCS SB 629 - Shelton (57)

15 HCS SS SCS SB 596 - Leake

16 HCS SS SB 478 - Crump

17 HCS SS SCS SB 852 & 913 - Wannenmacher

18 SB 650 - Kelly (27)

19 HCS SCS SB 762 - McLuckie

20 HCS SS SCS SB 627, E.C. - Mays (50)

21 SB 925, E.C. - O'Toole

22 HCS SS SCS SB 754 - Carter

23 HCS SCS SB 813 & 864 - Thomason (163)

24 HCS SCS SB 532, 806 & 633, (Budget Fiscal 5-10-98) - Hosmer

25 SB 709 - Days

26 SB 588 - Fritts

27 HCS SCS SB 477 - McBride

28 HCS SB 734, E.C. - Smith

29 HCS SS SB 657 - O'Toole

30 HCS SCS SB 522, E.C. - Lakin

31 HCS SCS SB 625 - Hoppe

32 HCS SB 641, (Budget Fiscal 5-10-98) - Farnen

33 HCS SB 773 - Harlan

34 HCS SS SB 518 - Thomason (163)

35 HCS SB 800 - Hoppe

36 SCS SB 571 - Kelly (27)

37 HCS SB 745, (Budget Fiscal 5-10-98) - Farnen

38 HCS SCS SB 613, E.C. - Hoppe

39 HCS SB 689 - Riback Wilson

40 SCS SB 523, HCAs 1 & 2, E.C. - Lakin

41 HCS SCS SB 610 & 835 - Gaskill

42 SB 927 - Hosmer

43 SB 756 - McClelland

44 SCS SB 849 - Skaggs

45 HCS SB 908 - Gibbons

46 HCS SB 525 - Thomason (163)

47 SB 566 - Mays (50)

48 HCS SB 780, E.C. - Stoll

49 SCS SB 802, E.C. - Thompson (37)

SENATE BILL FOR THIRD READING - FEDERAL MANDATE

1 HCS SS SCS SB 771 & 687, E.C. (Budget Fiscal 5-11-98) - Dougherty

HOUSE BILLS WITH SENATE AMENDMENTS

1 SS SCS HS HB 1694, as amended - Farnen

2 SCS HB 1229 - Leake

BILLS IN CONFERENCE

1 CCR#2 HCS SB 809 - Hoppe

2 SS SCS HS HCS HB 1095, as amended - Smith

3 CCR HS#2 HCS SS SCS SB 675, 483, 490 & 564, as amended - Scheve

4 CCR#2 HCS SB 778 - Hoppe

5 CCR SB 945, as amended - Thomason (163)

6 HS HCS SB 487, as amended - Auer

7 SCS HB 1683, as amended - Fitzwater

8 CCR SCS HB 1272 - Holand

9 HCS SS SB 910 - Dougherty

10 HCS HB 1189, as amended - Liese

11 SCS HS HCS HB 1601, 1591, 1592, 1479, 1615

AND HCS HB 1094,1213, 1311 & 1428 - Treadway

12 HB 1301, as amended - Campbell

13 HS SS#2 SCS SB 632, as amended - Lakin

14 HS HCS SS SCS SB 781, as amended - Stoll

15 HCS SB 787, as amended - Riback Wilson

HOUSE CONCURRENT RESOLUTION

1 HCR 17, HS, pending (5-6-98, pgs. 1548 & 1549) - Carter

HOUSE RESOLUTION

1 HR 885, (4-29-98, pgs. 1362 & 1363) - Green

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House Journal

Second Regular Session, 89th General Assembly

SEVENTY-THIRD DAY, Wednesday, May 13, 1998

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Cheryl L. Tatham.

The middle of the week has arrived with the end in sight - just around the corner. O God, as the time fast approaches for the conclusion of this session, grant us the ability to reflect objectively on these past five months, and the months of preparation that preceded them. In a world where conflicts continue to rage; in a world where nuclear armaments are still threatening; in a world where peace is still a matter of who owns what land, help us all to step back and re-evaluate our priorities. You have given us intelligence, creativity, ingenuity, and we persist in using and abusing them in the most peculiar ways. Forgive us when we're foolish and undergird us with Your love and mercy when we have the courage to do what You would have us do - whether or not it pleases the masses or the media.

We begin to draw this week to a close knowing that what's done is done, what's good will prevail and what's not will wither like the grass. Grant us peace, O God. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lauren Weber, Jodi Maher, Andrew Scott, Danny Seitz, Flat Josh, Jasmine Burroughs, Jamie Cahill, Chelsea Gierer, Jesse Jones, Dustin Holtmeyer, Khaley Hartupee, Fred Davis, Mary Scheidhauer, Amanda Cannady, Megan Glenn, William Pettit, Allen Sutton, Carl Dotson, Santrella Herd, Joshua Jasper, Angela Eichholz, Brian Hentz, Ray Tunnicliff, Krystle Day and Jamie Kienzle.

The Journal of the seventy-second day was approved as corrected.

RESOLUTIONS

Representative Rizzo offered House Resolution No. 1434, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1435, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Overschmidt offered House Resolution No. 1436, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crawford offered House Resolution No. 1437, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred SS#2 HJR 39, CCS SCS HB 1052, CCS SCS HCS HBs 1681 & 1342, SCS HB 1859 and SCS HB 1907, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred CCS HB 1002, CCS HB 1003, CCS HB 1004, CCS HB 1005, CCS HB 1006, CCS HB 1007, CCS HB 1008, CCS HB 1009, CCS HB 1010, CCS HB 1011, CCS HB 1012, SCS HCS HB 1013, SCS HCS HB 1020 and HCS HB 1021, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred HCS SCS SBs 532, 806 & 633 (Fiscal Note), begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HCS SB 641 (Fiscal Note), begs leave to report it has examined the same and recommends that it Do Pass.

Mr. Speaker: Your Committee on Budget, to which was referred HCS SB 745 (Fiscal Note), begs leave to report it has examined the same and recommends that it Do Pass.

CONFERENCE COMMITTEE CHANGE

The Speaker submitted the following committee changes:

Representative Stoll is no longer a member of the Conference Committee on HCS HB 1189.

Representative Copeland has been appointed a member of the Conference Committee on HCS HB 1189.

Speaker Gaw assumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1229, relating to deferred compensation, was taken up by Representative Copeland.

On motion of Representative Copeland, SCS HB 1229 was adopted by the following vote:

AYES: 119

Akin Alter Auer Backer Barnett

Barry 100 Bartlett Bauer Bland Bonner

Bray 84 Broach Burton Campbell Carter

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniels 41 Davis 122 Davis 63

Days DeMarce Donovan Dougherty Enz

Evans Farnen Fitzwater Foley Ford

Franklin Fritts Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gunn Hagan-Harrell

Harlan Hartzler 123 Heckemeyer Hendrickson Hickey

Hilgemann Holand Hollingsworth Hoppe Hosmer

Johnson Kelley 47 Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Long Luetkenhaus

May 108 Mays 50 McBride McLuckie Merideth

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Pryor Ransdall Relford Reynolds

Rizzo Ross Scheve Schilling Schwab

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Surface

Thomason 163 Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 038

Ballard Bartelsmeyer Berkstresser Boatright Champion

Dolan Edwards-Pavia Elliott Foster Froelker

Gaskill Gaston Gross Hall Hartzler 124

Hegeman Hohulin Howerton Kasten Kauffman

Klindt Linton Lograsso Loudon Marble

McClelland Miller Patek Purgason Reinhart

Richardson Ridgeway Robirds Sallee Scott

Secrest Summers Townley

PRESENT: 001

Bennett

ABSENT WITH LEAVE: 004

Boucher Daniel 42 Shear Sheldon 104

VACANCIES: 001

On motion of Representative Copeland, SCS HB 1229 was truly agreed to and finally passed by the following vote:

AYES: 113

Alter Auer Backer Barnett Barry 100

Bartlett Bauer Bland Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dougherty Evans

Farnen Fitzwater Foley Franklin Fritts

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gunn Harlan Hartzler 123 Heckemeyer

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Johnson Kelley 47 Kelly 27

Kennedy Kissell Koller Kreider Lakin

Lawson Leake Legan Liese Long

Luetkenhaus May 108 Mays 50 McBride McLuckie

Merideth Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Pouche Pryor Ransdall Relford

Rizzo Ross Scheve Schilling Schwab

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Surface

Thomason 163 Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Vogel Wannenmacher Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 040

Akin Ballard Bartelsmeyer Berkstresser Boatright

Champion Dolan Edwards-Pavia Elliott Enz

Foster Froelker Gaskill Gaston Gross

Hall Hartzler 124 Hegeman Hohulin Howerton

Kasten Kauffman Klindt Levin Linton

Loudon Marble McClelland Miller Patek

Purgason Reinhart Richardson Ridgeway Robirds

Sallee Scott Secrest Summers Townley

PRESENT: 001

Bennett

ABSENT WITH LEAVE: 008

Donovan Ford Hagan-Harrell Lograsso Reynolds

Shear Sheldon 104 Wiggins

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

SS SCS HS HB 1694, as amended, relating to Advantage Missouri Program, was taken up by Representative Farnen.

Representative Farnen moved that the House refuse to adopt SS SCS HS HB 1694, as amended, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SS HS HCS HBs 1237, 1409, 1166, 1154 & 1491, relating to workers' compensation, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, SS HS HCS HBs 1237, 1409, 1166, 1154 & 1491 was adopted by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Ross Sallee Scheve

Schilling Schwab Scott Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wannenmacher Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 003

Loudon Secrest Townley

PRESENT: 000

ABSENT WITH LEAVE: 007

Dougherty Edwards-Pavia Franklin Robirds Shear

Sheldon 104 Wiggins

VACANCIES: 001

On motion of Representative Luetkenhaus, SS HS HCS HBs 1237, 1409, 1166, 1154 & 1491 was truly agreed to and finally passed by the following vote:

AYES: 149

Alter Auer Backer Ballard Barnett

Barry 100 Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Vogel Wannenmacher Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 004

Akin Loudon Secrest Townley

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartelsmeyer Donovan Dougherty Edwards-Pavia Kasten

Reinhart Shear Sheldon 104 Wiggins

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bartlett, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1876, relating to agricultural checkoffs, was taken up by Representative Leake.

On motion of Representative Leake, SCS HB 1876 was adopted by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Hegeman Hendrickson Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Levin
Liese Linton Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murphy
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Secrest Seigfreid
Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Berkstresser Crump Dougherty Gibbons Heckemeyer

Legan Lograsso Pryor Purgason Scott

Shear Sheldon 104 Summers

VACANCIES: 001

On motion of Representative Leake, SCS HB 1876 was truly agreed to and finally passed by the following vote:

AYES: 156

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Boucher Crump Donovan Lograsso Shear

Sheldon 104

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Broach Burton Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 003

Edwards-Pavia Pryor Purgason

PRESENT: 000

ABSENT WITH LEAVE: 009

Boucher Campbell Crump Donovan Dougherty

Gibbons Lograsso Shear Sheldon 104

VACANCIES: 001

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in HS HCS SB 827, as amended , and requests the House recede from its position or, failing to do so, grant the Senate a conference thereon.

MOTION

HS HCS SB 827, as amended, relating to economic development, was taken up by Representative Rizzo.

Representative Rizzo moved that the House refuse to recede from its position on HS HCS SB 827, as amended, and grant the Senate a conference.

Which motion was adopted.

Representative Luetkenhaus assumed the Chair.

BILLS IN CONFERENCE

CCR HS#2 HCS SS SCS SBs 675, 483, 490 & 564, as amended, relating to circuit breaker, was taken up by Representative Scheve.

On motion of Representative Scheve, CCR HS#2 HCS SS SCS SBs 675, 483, 490 & 564, as amended, was adopted by the following vote:

AYES: 158

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 001

Patek

PRESENT: 000

ABSENT WITH LEAVE: 003

Daniel 42 Shear Sheldon 104

VACANCIES: 001

On motion of Representative Scheve, CCS HS#2 HCS SS SCS SBs 675, 483, 490 & 564 was truly agreed to and finally passed by the following vote:

AYES: 156

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Ballard Daniel 42 Kauffman Linton Shear

Sheldon 104

VACANCIES: 001

Representative Luetkenhaus declared the bill passed.

On motion of Representative Hagan-Harrell, title to the bill was agreed to.

Representative Hilgemann moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

Representative Scheve assumed the Chair.

CCR SB 945, as amended, relating to boll weevil eradication, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), CCR SB 945, as amended, was adopted by the following vote:

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Hagan-Harrell Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Williams 121 Williams 159 Wilson Wooten

NOES: 001

Gunn

PRESENT: 000

ABSENT WITH LEAVE: 011

Crump Daniel 42 Hall Harlan McLuckie

Pryor Shear Sheldon 104 Thompson 37 Wiggins

Mr. Speaker

VACANCIES: 001

On motion of Representative Thomason (163), CCS SB 945 was truly agreed to and finally passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Griesheimer

Gross Hagan-Harrell Hall Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten

NOES: 001

Gunn

PRESENT: 000

ABSENT WITH LEAVE: 010

Daniel 42 Edwards-Pavia Green Harlan Johnson
McLuckie Murphy Shear Sheldon 104 Mr. Speaker

VACANCIES: 001

Representative Scheve declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 140

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Cooper Copeland
Crawford Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 24 Gratz Green
Griesheimer Gross Hagan-Harrell Hall Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hickey Hilgemann
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
Miller Monaco Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Ransdall Reinhart Relford
Reynolds Richardson Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Secrest Seigfreid Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

NOES: 008

Edwards-Pavia Elliott Gunn Hendrickson Hohulin

Pryor Purgason Ridgeway

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 013

Bartelsmeyer Clayton Crump Daniel 42 Graham 106

Harlan Lograsso McLuckie Merideth Shear

Sheldon 104 Wooten Mr. Speaker

VACANCIES: 001

On motion of Representative McBride, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HB 1272, relating to Springfield school board, was taken up by Representative Holand.

On motion of Representative Holand, CCR SCS HB 1272 was adopted by the following vote:

AYES: 146

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Cooper

Copeland Crawford Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Foster Froelker Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Clayton Crump Donovan Ford Franklin

Fritts Gaskill Hall Harlan Kreider

Mays 50 Parker Shear Sheldon 104 Thompson 37

Mr. Speaker

VACANCIES: 001

On motion of Representative Holand, CCS SCS HB 1272 was read the third time and passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Cooper

Copeland Crawford Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Foster Franklin

Froelker Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Hagan-Harrell

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Clayton Crump Ford Fritts Gaskill

Gunn Hall Harlan Linton Parker

Shear Sheldon 104 Shields Thompson 37 Mr. Speaker

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

HCS SB 615, with HS, as amended, pending, relating to gambling, was again taken up by Representative Treadway.

Representative Seigfreid offered House Amendment No. 6.

Representative Griesheimer requested a division of the question.

House Amendment No. 6 was withdrawn.

Representative Ladd Stokan offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 615, Page 4, Section 313.805, Line 21, by inserting after the "boat" the following:

". Cashless wagering systems including any type of preferred player card system may be used to enforce loss limits but shall not be used to collect identifying information about any player. Cashless wagering systems shall not collect or provide information to track or contact individual players in any way for any purpose. This does not preclude the Commission from directing and supervising data collection for statistical purposes which does not identify any individual player;".

Representative Treadway raised a point of order that House Amendment No. 6 goes beyond the scope of the bill.

Representative Scheve requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Ladd Stokan, House Amendment No. 6 was adopted by the following vote:

AYES: 094

Akin Alter Ballard Barnett Bartelsmeyer

Bauer Bennett Berkstresser Bland Boatright

Broach Burton Champion Chrismer Cierpiot

Crawford Daniels 41 DeMarce Edwards-Pavia Elliott

Enz Evans Foster Froelker Gaskill

Gaston Gibbons Graham 106 Griesheimer Gross

Hall Hartzler 123 Hartzler 124 Hegeman Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hosmer

Howerton Kasten Kauffman Kelley 47 Klindt

Kreider Lakin Levin Linton Long

Loudon Marble McBride McClelland McLuckie

Merideth Miller Monaco Murphy Naeger

Nordwald O'Toole Ostmann Parker Patek

Pryor Purgason Ransdall Reinhart Richardson

Ridgeway Robirds Ross Sallee Schilling

Schwab Scott Secrest Seigfreid Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Townley Troupe

Wannenmacher Williams 121 Williams 159 Wooten

NOES: 048

Auer Barry 100 Bartlett Bonner Boucher

Carter Clayton Cooper Copeland Crump

Daniel 42 Davis 122 Davis 63 Days Donovan

Farnen Fitzwater Foley Franklin Fritts

Gratz Green Gunn Hagan-Harrell Harlan

Hickey Hoppe Johnson Kelly 27 Kennedy

Leake Liese May 108 Mays 50 Murray

O'Connor Overschmidt Pouche Relford Reynolds

Rizzo Scheve Shelton 57 Thompson 72 Treadway

Van Zandt Wiggins Wilson

PRESENT: 000

ABSENT WITH LEAVE: 020

Backer Bray 84 Campbell Dolan Dougherty

Ford Graham 24 Heckemeyer Kissell Koller

Lawson Legan Lograsso Luetkenhaus Shear

Sheldon 104 Thomason 163 Thompson 37 Vogel Mr. Speaker

VACANCIES: 001

Representative Parker offered House Amendment No. 7.

Representative Monaco raised a point of order that House Amendment No. 7 amends previously amended material.

Representative Scheve requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Speaker Gaw resumed the Chair.

Representative Griesheimer offered House Substitute Amendment No. 1 for House Amendment No. 7.

Representative Hosmer raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 7 is not a true substitute amendment.

The Chair ruled the point of order well taken.

House Amendment No. 7 was withdrawn.

Representative Backer moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Clayton Copeland Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dougherty Farnen Fitzwater Foley Franklin

Fritts Graham 24 Gratz Green Gunn

Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann

Hollingsworth Hoppe Hosmer Johnson Kelly 27

Kennedy Kissell Koller Kreider Lakin

Lawson Leake Liese Luetkenhaus May 108

Mays 50 McBride McLuckie Monaco Murray

O'Connor O'Toole Overschmidt Parker Ransdall

Relford Reynolds Rizzo Scheve Schilling

Seigfreid Shelton 57 Skaggs Smith Stokan

Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

NOES: 073

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Crawford

Dolan Donovan Edwards-Pavia Elliott Enz

Evans Foster Gaskill Gaston Gibbons

Graham 106 Griesheimer Gross Hall Hartzler 123

Hartzler 124 Hegeman Hendrickson Hohulin Holand

Howerton Kasten Kauffman Kelley 47 Klindt

Legan Levin Linton Lograsso Long

Loudon Marble McClelland Merideth Miller

Murphy Naeger Nordwald Ostmann Patek

Pouche Pryor Purgason Reinhart Richardson

Ridgeway Robirds Ross Sallee Schwab

Scott Secrest Shields Steen Summers

Surface Townley Vogel

PRESENT: 000

ABSENT WITH LEAVE: 006

Ford Froelker Shear Sheldon 104 Wannenmacher

Wooten

VACANCIES: 001

Representative Treadway moved that HS HCS SB 615, as amended, be adopted.

Which motion was defeated by the following vote:

AYES: 053

Auer Barry 100 Bartlett Bonner Boucher

Carter Copeland Crump Daniel 42 Daniels 41

Davis 122 Days Donovan Dougherty Farnen

Fitzwater Foley Ford Graham 24 Gratz

Green Gunn Hagan-Harrell Hickey Hollingsworth

Hoppe Johnson Kelly 27 Lawson Leake

Liese May 108 Mays 50 Murray O'Connor

O'Toole Overschmidt Relford Reynolds Richardson

Rizzo Scheve Shelton 57 Shields Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Vogel

Wiggins Wilson Mr. Speaker

NOES: 104

Akin Alter Backer Ballard Barnett

Bartelsmeyer Bauer Bennett Berkstresser Bland

Boatright Bray 84 Broach Burton Campbell

Champion Chrismer Cierpiot Clayton Cooper

Crawford Davis 63 DeMarce Dolan Edwards-Pavia

Elliott Enz Evans Foster Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Griesheimer Gross Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hilgemann

Hohulin Holand Hosmer Howerton Kasten

Kauffman Kelley 47 Kennedy Kissell Klindt

Koller Kreider Lakin Legan Levin

Linton Lograsso Long Loudon Luetkenhaus

Marble McBride McClelland McLuckie Merideth

Miller Monaco Murphy Naeger Nordwald

Ostmann Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Ridgeway Robirds

Ross Sallee Schilling Schwab Scott

Secrest Seigfreid Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Townley Van Zandt Williams 121 Williams 159

PRESENT: 000

ABSENT WITH LEAVE: 005

Franklin Shear Sheldon 104 Wannenmacher Wooten

VACANCIES: 001

HCS SB 615 was placed in the Informal Calendar.

SB 743, relating to emergency management agency, was taken up by Representative Hoppe.

Representative Hoppe offered HS SB 743.

Representative Bauer raised a point of order that HS SB 743 goes beyond the scope and purpose of the original bill.

The Chair ruled the point of order untimely.

Representative Fritts offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for Senate Bill No. 743, Page 1, In the Title, Line 16, by deleting the word "fifty-five" and

inserting in lieu thereof the word "fifty-six"; and

Further amend said bill, Page 2, Section A, Line 4, by deleting the word "fifty" and inserting in lieu thereof the word "fifty-one"; and

Further amend said bill, Page 2, Section A, Line 5, by inserting after the word "sections" the figure "37.250,"; and

Further amend said bill, Page 2, Section A, Line 12, by inserting after all of said line the following:

"37.250. 1. The general assembly declares it is the public policy of this state to determine the most cost effective systems to provide ubiquitous coverage of the state transparent communications between all members of all using agencies, and the necessary E911 capability to provide assured emergency response, and to reduce the response time for emergency or disastrous situations.

2. There is hereby created a committee on state operated wireless communication systems to be composed of:

(1) The commissioner of administration or a designee;

(2) The director of the department of public safety or a designee;

(3) The director of the department of conservation or a designee; and

(4) The chief engineer of the department of transportation or a designee.

3. The committee shall examine existing programs and proposals for development or expansion to identify duplication in resource allocation of wireless communication systems. The committee shall submit a report to the general assembly by August 30, 1998, in which it identifies opportunities for cost savings, increased efficiency and improved services for Missouri's citizens. The committee shall review the state's purchasing law and may recommend such changes to chapter 34, RSMo, as it deems appropriate to maintain and enhance the state's wireless communication system. The committee may make such other recommendations as it deems appropriate and shall identify the costs associated with each such recommendation.".

On motion of Representative Fritts, House Amendment No. 1 was adopted.

On motion of Representative Hoppe, HS SB 743, as amended, was adopted.

On motion of Representative Hoppe, HS SB 743, as amended, was read the third time and passed by the following vote:

AYES: 126

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Berkstresser

Bland Boatright Bonner Boucher Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

Dolan Donovan Dougherty Edwards-Pavia Evans

Farnen Fitzwater Foley Fritts Froelker

Gaskill Gaston Graham 106 Graham 24 Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Hegeman Hendrickson

Hickey Hohulin Hollingsworth Hoppe Hosmer

Howerton Johnson Kauffman Kelley 47 Kelly 27

Kennedy Kissell Koller Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Luetkenhaus Marble May 108 Mays 50

McBride Merideth Miller Monaco Murray

Naeger Nordwald O'Toole Ostmann Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Seigfreid Shields

Skaggs Smith Steen Stroker Thomason 163

Thompson 72 Townley Treadway Troupe Van Zandt

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 013

Bauer Copeland DeMarce Elliott Foster

Gibbons Gratz Heckemeyer Hilgemann Loudon

Murphy Shelton 57 Summers

PRESENT: 000

ABSENT WITH LEAVE: 023

Bennett Bray 84 Enz Ford Franklin

Holand Kasten Klindt Kreider Long

McClelland McLuckie O'Connor Pryor Secrest

Shear Sheldon 104 Stokan Stoll Surface

Thompson 37 Vogel Wannenmacher

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Murray moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

HCS SCS SBs 614, 696, 906, 530, 912 & 914, with HS, as amended, pending, relating to judiciary, was again taken up by Representative May (108).

Representative Treadway offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 614, 696, 906, 530, 912 & 914, Page 1, In the Title, Line 3, by inserting after the number "426.230," the following: "441.500, 441.410, 441.530, 441.550, 441.570, 441.580, 441.590, 441.610, 441.620, 441.630, 441.640, 441.641,"; and

Further amend said bill, Page 1, In the Title, Line 7, by inserting after the number "57.290," the number "82.1025,"; and

Further amend said bill, Page 1, In the Title, Line 8, by inserting after the number "211.447," the number "441.520,"; and

Further amend said bill, Page 1, In the Title, Line 12, by deleting the word "forty-six" and inserting in lieu thereof the word "fifty-nine"; and

Further amend said bill, Page 1, Section A, Line 18, by inserting after the number "426.230," the following: "441.500, 441.510, 441.530, 441.550, 441.570, 441.580, 441.590, 441.610, 441.620, 441.630, 441.640, 441.641,"; and

Further amend said bill, Page 2, Section A, Line 1, by inserting after the number "57.290," the number "82.1025," and further amend said line by inserting after the number "211.447," the number "441.520,"; and

Further amend said bill, Page 2, Section A, Line 4, by deleting the word "forty-six" and inserting in lieu thereof the word "fifty-nine"; and

Further amend said bill, Page 2, Section A, Line 5, by inserting after the number "57.290," the number 82.1025,"; and

Further amend said bill, Page 2, Section A, Line 7, by inserting after the number "426.230," the following: "441.500, 441.510, 441.520, 441.530, 441.550, 441.570, 441.580, 441.590, 441.610, 441.630, 441.641, 441.643,"; and

Further amend said bill, Page 15, Section 57.290, Line 5, by inserting after all of said line the following:

"82.1025. In any county of the first classification, in any city not within a county and in any city with at least three hundred fifty thousand inhabitants which is located in more than one county, a parcel of property is a nuisance, if such property adversely affects the property values of a neighborhood because the owner of such property allows the property to be in a deteriorated condition, due to neglect, violation of a county or municipal building code or standard, abandonment, failure to repair after a fire, flood or some other damage to the property or because the owner or resident of the property allows clutter on the property such as abandoned automobiles, appliances or similar objects. Any property owner, who owns property within a reasonable distance to a parcel of property which is alleged to be a nuisance may bring a nuisance action against the offending property owner for the amount of damage created by such property to the value of the petitioner's property, within the jurisdictional limits, and court costs in small claims court, provided that the owner of the property which is alleged to be a nuisance has received notification of the alleged nuisance and has had a reasonable opportunity, not to exceed forty-five days, to correct the alleged nuisance. This section is not intended to abrogate, and shall not be construed as abrogating, any remedy available under the common law of private nuisance."; and

Further amend said bill, Page 30, Section 426.230, Line 20, by inserting after all of said line the following:

"441.500. As used in sections 441.500 to [441.640] 441.643, the following terms mean:

(1) "Abatement", the removal or correction, including demolition, of any condition at a property that violates the provisions of any duly enacted building or housing code, as well as the making of such other improvements or corrections as are needed to effect the rehabilitation of the property or structure, including the closing or physical securing of the structure;

(2) "Agent", a person authorized by an owner to act for him;

[(2)] (3) "Code enforcement agency", the official, agency, or board that has been delegated the responsibility for enforcing the housing code by the governing body;

[(3)] (4) "Community", any "county" or "municipality";

[(4)] (5) "County", any county in the state;

[(5)] (6) "Dwelling unit", premises or part thereof occupied, used, or held out for use and occupancy as a place of abode for human beings, whether occupied or vacant;

[(6)] (7) "Governing body", the board, body or persons in which the powers of a community are vested;

[(7)] (8) "Housing code", a local building, fire, health, property maintenance, nuisance or other ordinance which contains standards regulating the condition or maintenance of residential buildings;

(9) "Local housing corporation", a not for profit corporation organized pursuant to the laws of the state of Missouri for the purpose of promoting housing development and conservation within a specified area of a municipality or an unincorporated area;

[(8)] (10) "Municipality", any incorporated city, town, or village;

[(9)] (11) "Notice of deficiency", a notice or other order issued by the code enforcement agency and requiring the elimination or removal of deficiencies found to exist under the housing code;

[(10)] (12) "Nuisance", a violation of provisions of the housing code applying to the maintenance of the [building or dwelling unit which if not promptly corrected will constitute a fire hazard or a substantial threat to the life, health or safety of occupants thereof or to the public] buildings or dwellings which the code official in the exercise of reasonable discretion believes constitutes a threat to the public health, safety or welfare;

[(11)] (13) "Occupant", any person occupying a dwelling unit as his or her place of "residence", whether or not that person is occupying the dwelling unit as a tenant from month to month or under a written lease, undertaking or other agreement;

[(12)] (14) "Owner", the record owner or owners, and the beneficial owner or owners when other than the record owner, of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, personal representative, trustee, lessee, agent, or any other person in control of a dwelling unit;

[(13)] (15) "Person", any individual, corporation, association, partnership, or other entity.

[441.510. A civil action may be maintained under the provisions of sections 441.500 to 441.640 in the circuit court for the circuit where the property is located by the following persons or entities on the ground that a nuisance exists with respect to the dwelling unit or the building or premises of which the dwelling unit is a part:

(1) The municipality acting through the code enforcement agency;

(2) Occupants of one-third or more of the dwelling units within a building with respect to that building;

(3) Any not for profit organization validly organized pursuant to law and whose purpose includes the provision or enhancement of housing opportunities in its community; or

(4) Any owner or tenant of real property within twelve hundred feet in any direction of the property in question who shows that his property or person is substantially affected by the alleged nuisance. An owner or tenant need not prove any specific, special or unique damages to himself or his property or any adverse effect upon his property from the alleged nuisance in order to maintain a civil action pursuant to the provisions of sections 441.500 to 441.640.]

441.510. 1. If any building or dwelling is found to be in violation of building or housing codes which a party with standing to sue pursuant to subsection 8 of this section, the county or municipality in the exercise of reasonable discretion believes constitutes a threat to the public health, safety or welfare, the party with standing to sue pursuant to subsection 8 of this section, the county or municipality, in addition to any other remedies available to it, may apply to a court of competent jurisdiction for the appointment of a receiver to perform an abatement.

2. At least sixty days prior to the filing of an application for appointment of a receiver pursuant to sections 441.500 to 441.643, the party with standing to sue pursuant to subsection 8 of this section, the county or municipality shall give written notice by regular mail to all interested parties of its intent to file the application and information relative to:

(1) The identity of the property;

(2) The violations of the building or housing codes giving rise to the application for the receiver;

(3) The name, address and telephone number of the person or department where additional information can be obtained concerning violations and their remedy; and

(4) The party with standing to sue pursuant to subsection 8 of this section, the county or municipality which may seek the appointment of a receiver pursuant to sections 441.500 to 441.643 unless action is taken within sixty days by an interested party.

3. A party with standing to sue pursuant to subsection 8 of this section, a county or municipality may not apply for the appointment of a receiver pursuant to sections 441.500 to 441.643 if an interested party has commenced and is then prosecuting in a timely fashion an action or other judicial or nonjudicial proceeding to foreclose a security interest on the property, or to obtain specific performance of a land sale contract, or to forfeit a purchaser's interest under a land sale contract.

4. Notice of the application for the appointment of a receiver shall be served on all interested parties.

5. If, following the application for appointment of a receiver, one or more of the interested parties elects to correct the conditions at the property giving rise to the party with standing to sue pursuant to subsection 8 of this section, the county or municipality's application for the appointment of a receiver, the party or parties shall be required to post security in an amount and character as the court deems appropriate to ensure timely performance of all work necessary to make corrections, as well as such other conditions as the court deems appropriate to effect the timely completion of the corrections by the interested party or parties.

6. In the event that no interested party elects to act pursuant to subsection 5 of this section or fails to timely perform work undertaken pursuant to subsection 5 of this section, the court shall make a determination that the property is in an unsafe or insanitary condition and appoint a receiver to complete the abatement.

7. A receiver appointed by the court pursuant to sections 441.500 to 441.643 shall not be required to give security or bond of any sort prior to appointment.

8. Notwithstanding the provisions of subsections 1 to 7 of this section, a civil action may be maintained pursuant to the provisions of sections 441.500 to 441.640 in the circuit court for the circuit where the property is located by the following persons or entities on the ground that a nuisance exists with respect to the dwelling unit or the building or premises of which the dwelling unit is a part:

(1) Occupants of one-third or more of the dwelling units within a building with respect to that building; or

(2) Any owner or tenant of real property within twelve hundred feet in any direction of the property in question who shows that his or her property or person is substantially affected by the alleged nuisance. An owner or tenant need not prove any specific, special or unique damage to himself or herself or his or her property or any adverse effect upon his or her property from the alleged nuisance in order to maintain a civil action pursuant to the provisions of sections 441.500 to 441.640.

441.520. 1. The action to appoint a receiver authorized by section 441.510 shall be commenced by the filing of a verified petition by the party with standing to sue pursuant to subsection 8 of section 441.510, the county or municipality.

2. There shall be named as defendants:

(1) The last owner of record of the dwelling as of the date of the filing of the petition; and

(2) The last holder of record of any mortgage, deed of trust, or other lien of record against the building as of the date of the filing of the petition.

3. Any owner of the dwelling who is not a party defendant may be permitted by the court to join as a party defendant.

4. (1) Any owner, whether or not a citizen or resident of this state, who in person or through agent, owns, uses, or is possessed of any real estate situated in this state thereby subjects himself or itself to the jurisdiction of the courts of this state as to any cause of action arising [under] pursuant to the provisions of sections 441.500 to [441.640] 441.643. Personal service of process shall be made in accordance with the rules of civil procedure; provided that, if such service cannot with due diligence be made, service of process may be made by personally serving process upon the defendant outside this state, or by service in accordance with the rules of civil procedure as in all cases affecting a res within the jurisdiction of the court.

(2) If a landlord of residential property is not a resident of this state or is a corporation, he must designate an agent upon whom service of process may be made in this state. The agent shall be a resident of this state or a corporation authorized to transact business in this state. The designation shall be in writing and include the address and the name of the registered agent and shall be filed in the office of the secretary of state. If no designation is made and filed or if process cannot be served in this state upon the designated agent, process may be served upon the secretary of state, but service upon him is not effective unless the petitioner forthwith mails a copy of the process and pleading by certified mail to the defendant or respondent at the address

stated on the assessor's records for the subject property. An affidavit of compliance with this section shall be filed with the clerk of the court.

5. Any action brought [under] pursuant to the provisions of sections 441.500 to [441.640] 441.643 shall be expedited by the court and may be given precedence over other suits.

441.530. The [petition] application shall state:

(1) The facts constituting a nuisance with respect to the dwelling unit, building or premises of which the dwelling unit is a part[,];

(2) That violations of the housing code exist as determined by a notice of deficiency[,];

(3) That the owner of said property has failed, within a reasonable time, to undertake to remove said nuisance[,];

(4) If the action is brought by occupants, the number of dwelling units occupied by plaintiffs and the number of dwelling units in the building[,]; and

(5) The relief sought as authorized by sections 441.570 and 441.590.

441.550. In any [civil action brought under the provisions of sections 441.500 to 441.640, the plaintiff] application for receivership brought pursuant to sections 441.500 to 441.643, the party with standing to sue pursuant to subsection 8 of section 441.510, the county or municipality shall file for record, with the recorder of deeds of the county in which any such real estate is situated, a written notice of the pendency of the suit pursuant to the requirements of section 527.260, RSMo. From the time of filing such notice the pendency of suit shall be constructive notice to persons thereafter acquiring an interest in the building.

441.570. The court may, after hearing and finding the dwelling unit or building constitutes a nuisance,

(1) Appoint a receiver and direct that present and future rents due from one or more occupants be [deposited] paid by the occupant or occupants with [the clerk of the court] such receiver as such rents fall due, or

(2) Allow the owner a reasonable time to correct the deficiencies.

Any rents [deposited under] paid pursuant to the provisions of this section shall be [held by the court until the deficiencies noted in the building have been remedied, and shall not accrue interest during the time they are so held] applied to the costs incurred due to the abatement and receivership. Upon the completion of the work required to abate the nuisance, any remaining surplus after authorized disbursements and payments of cost shall be forwarded to the owner, together with a complete accounting of the rents [deposited] paid and the costs incurred.

441.580. Upon the entry of an order directing the [deposit] payment of rents [or payment] pursuant to section 441.570, [the deposit of the rents with the clerk of the court] such payment in accordance with the terms of the order shall be a valid defense to any action or proceeding brought by an owner against any tenant to recover possession of real property for the nonpayment of rent due and payable after the date of issuance of the order.

441.590. 1. The court may, in any order entered pursuant to section 441.570:

(1) Authorize the [owner] receiver to draw upon the rents deposited in court to pay for the cost of necessary repairs upon presentment to the court of the original copy of any invoice for work performed or materials purchased;

(2) Appoint the code enforcement agency, [the owner,] the mortgagee or other lienor of record, a local housing corporation established to promote housing development and conservation in the area in which such property that is the subject of receivership is located, a licensed attorney or real estate broker, or any other qualified person, as a receiver [to administer, subject to the court's direction, the rent moneys deposited and to be deposited with the clerk, or if the court so orders, to be collected directly by the receiver from the occupants of the building;] provided, however, that all lienholders of record shall be given the right of first refusal to serve as receiver in the order in which their lien appears of record. In the event of the refusal of all lienholders of record to serve as receiver or in the absence of any lienholders of record, the local housing corporation that is established to promote housing development and conservation in the area in which such property that is the subject of receivership is located, if any, shall be given the right of first refusal to serve as receiver for any residential property consisting of four units or less; or

(3) Where the building is vacant, appoint the code enforcement agency, [the owner,] the mortgagee or other lienor of record, a local housing corporation established to promote development and conservation in the area in which such property that is the subject of receivership is located, a licensed attorney or real estate broker, or any other qualified person, as a receiver to remove all of the housing code violations which constitute a nuisance as found by the court, except that all lienholders of record shall be given the right of first refusal to serve as receiver in the order in which their liens appear of record. In the event of the refusal of all lienholders of record to serve as receiver or in the absence of any lienholders of record, the local housing corporation that

is established to promote development and conservation in the area in which such property that is the subject of receivership is located, if any, shall be given the right of first refusal to serve as receiver for any residential property consisting of four units or less.

2. The court may allow a receiver[, other than the owner,] reasonable and necessary expenses, payable from the rent moneys.

3. No receiver appointed shall serve without bond. The amount and form of such bond shall be approved by the court and the cost of such bond shall be paid from the moneys so deposited.

4. The receiver may, on order of the court, take possession of the property, collect all rents and profits accruing from the property, and pay all costs of management, including all insurance premiums and all general and special real estate taxes or assessments.

5. The receiver shall with all reasonable speed remove all of the housing code violations which constitute a nuisance as found by the court, and may make other improvements to effect a rehabilitation of the property in such fashion as is consistent with maintaining safe and habitable conditions over the remaining useful life of the property. The receiver shall have the power to let contracts therefor, in accordance with the provisions of local laws, ordinances, rules and regulations applicable to contracts.

6. The receiver may with the approval of the circuit court borrow money against, and encumber, the property as security therefor in such amounts as may be necessary to carry out his or her responsibilities [under] pursuant to sections 441.500 to [441.640] 441.643. The circuit court may authorize the receiver to issue receiver's certificates as security against such borrowings, which certificates shall be authorized investments for banks and savings and loan associations, and shall constitute a first lien upon the property and its income and shall be superior to any claims of the receiver and to all prior or subsequent liens and encumbrances except taxes and assessments, and shall be enforceable as provided in subsection 8 of this section.

7. In addition to issuance of receiver certificates, the receiver may pledge the rentals from the property and borrow or encumber the property on the strength of the rental income.

8. Any receiver appointed [under] pursuant to the provisions of sections 441.500 to [441.640] 441.643 shall have a lien, for the expenses necessarily incurred in the execution of an order, upon the rents receivable from the premises on or in respect of which the work required by such order has been done or expenses incurred, and this lien shall have priority over all other liens and encumbrances of record upon the rents receivable from the premises, except taxes, assessments, receiver's certificates, and mortgages recorded prior to October 13, 1969.

9. For the purposes of this section, "local housing corporation" shall mean only those local housing corporations established prior to April 28, 1999.

441.610. Any provision of a lease or other agreement whereby any provision of sections 441.500 to [441.640] 441.643 for the benefit of an occupant of a dwelling unit or units is waived or denied shall be deemed against public policy and shall be void.

[441.620. 1. Whenever an occupant of a dwelling unit shall, with respect to the occupied premises or the property of which such premises are a part, file a petition authorized by section 441.510, no action or proceeding to recover possession of such premises shall be maintainable by the owner against such occupant, nor shall the owner, by rent increase or otherwise cause such occupant involuntarily to quit such premises, or decrease services to which the occupant is entitled, for a period of one year from the date of the filing of such petition, notwithstanding that the occupant has no lease or that his lease has expired, except with the approval of the court, so long as the occupant continues to pay the owner, the owner's agent, or a court pursuant to a court order, the rent to which the owner is entitled at the time the petition is filed; provided, however, that the owner may recover possession of such premises if

(1) The occupant is then violating an obligation of a written lease which was executed prior to the date of the filing of the petition, or is using the leased premises for an immoral or illegal purpose or for other than living or dwelling purposes; or

(2) The owner seeks in good faith to recover possession of the property for his immediate and personal use and occupancy as a dwelling; or

(3) The owner seeks in good faith to recover possession for the immediate purpose of demolishing the property; or

(4) The dwelling unit and the property of which the dwelling unit is a part were, on the date of the filing of such petition, in full compliance with the housing code of the community; or

(5) Such complaint, notice, request or petition relates only to a condition or conditions occasioned by an act or omission of such occupant or members of his family, or an invitee or assignee thereof, beyond those acts or omissions constituting ordinary wear and tear.

2. Any person from whom possession has been recovered in violation of this section shall be entitled to recover twice the amount of rent for the period for which he was wrongfully dispossessed or twice the damages sustained by him, whichever is greater, and the cost of suit, including a reasonable attorney's fee.]

441.630. Every occupant of a dwelling unit under the provisions of sections 441.500 to [441.640] 441.643 shall be responsible to pay all rents due [the owner] from him or her when such rents become due and to exercise reasonable care

(1) To dispose of all rubbish and garbage in his or her dwelling unit, and other organic waste which might provide food for rodents, in a clean and sanitary manner;

(2) To refrain from unreasonable use of electrical, heating, and plumbing fixtures;

(3) To meet all obligations lawfully imposed upon the occupants of dwelling units by the code enforcement agency or the community;

(4) To refrain from willfully or wantonly destroying, defacing, damaging, impairing or removing any part of the structure or dwelling unit or the facilities, equipment, or appurtenances thereof, and to prohibit any other person on the premises with his or her permission from doing likewise; and

(5) Shall not under any circumstances take in additional occupants, sublease, rent or turn over said premises to any persons without the owner's knowledge and consent.

[441.640. The provisions of this law shall not be applicable to one-family buildings if the owner thereof resides therein.]

441.641. If the court appoints a receiver to abate a nuisance [in dwelling units] pursuant to sections 441.500 to [441.640] 441.643, and the holder of title to the property or any other party in interest does not take action to regain possession of the property within [ten] two years of the appointment of the receiver, the court may, for good cause shown, issue a judicial deed transferring title to the property to the receiver, or to any not for profit corporation organized pursuant to law.

441.643. In the event the court finds that the facts alleged in the petition filed pursuant to section 441.530 are unfounded and that the petition was filed frivolously and in bad faith, the petitioner shall be responsible for the reasonable attorney's fees attributable to the defense of said petition.".

On motion of Representative Treadway, House Amendment No. 4 was adopted.

Representative Smith offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 614, 696, 906, 530, 912 & 914, Page 31, Section 451.100, Line 3 of said page, by deleting the period "." and inserting in lieu thereof the following: "; provided that a municipal judge shall not solemnize any marriage until the judge shall complete a course of instruction which may be affected by the Missouri Municipal and Associate Circuit Judges Association or any Continuing Legal Education Program approved by the Missouri Bar Association relating to the laws governing marriage in this state and the requirements to validly enter into and solemnize a marriage.".

Speaker Pro Tem Kreider resumed the Chair.

Representative Boatright offered House Substitute Amendment No. 1 for House Amendment No. 5.

Representative Hosmer raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 5 is not a true substitute amendment and is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Smith, House Amendment No. 5 was adopted by the following vote:

AYES: 078

Auer Backer Barry 100 Bartlett Bland
Bonner Boucher Carter Chrismer Cooper
Copeland Crump Davis 122 Davis 63 Days
DeMarce Donovan Dougherty Farnen Fitzwater
Foley Fritts Gaston Gibbons Graham 24
Gratz Griesheimer Gunn Harlan Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hollingsworth
Hosmer Johnson Kasten Kauffman Kelly 27
Kennedy Kissell Kreider Lakin Lawson
Liese Luetkenhaus May 108 Mays 50 McBride
McClelland Merideth Monaco Murray O'Connor
O'Toole Overschmidt Parker Patek Pryor
Relford Sallee Schilling Schwab Seigfreid
Shelton 57 Skaggs Smith Stokan Stroker
Thomason 163 Thompson 72 Treadway Troupe Van Zandt
Williams 121 Williams 159 Wilson

NOES: 050

Akin Alter Barnett Bartelsmeyer Berkstresser
Boatright Broach Burton Champion Cierpiot
Crawford Daniels 41 Edwards-Pavia Elliott Enz
Foster Froelker Gaskill Graham 106 Gross
Hall Hartzler 123 Hartzler 124 Holand Howerton
Kelley 47 Legan Levin Linton Lograsso
Long Loudon Miller Naeger Nordwald
Pouche Purgason Reinhart Reynolds Ridgeway
Robirds Ross Scott Secrest Steen
Summers Surface Townley Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 034

Ballard Bauer Bennett Bray 84 Campbell
Clayton Daniel 42 Dolan Evans Ford
Franklin Green Hagan-Harrell Hohulin Hoppe
Klindt Koller Leake Marble McLuckie
Murphy Ostmann Ransdall Richardson Rizzo
Scheve Shear Sheldon 104 Shields Stoll

Thompson 37 Vogel Wiggins Mr. Speaker

VACANCIES: 1

Representative Backer offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 614, 696, 906, 530, 912 & 914, Page 15, Section 105.464, Line 18, by striking all of said line and inserting in lieu thereof the following:

"person may receive a direct, or indirect as defined by the canons of judicial conduct, financial gain from any".

On motion of Representative Backer, House Amendment No. 6 was adopted.

HCS SCS SBs 614, 696, 906, 530, 912 & 914, with HS, as amended, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HCR 26.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on HS SS#2 SCS SB 632, as amended, and has taken up and passed CCS HS SS#2 SCS SB 632.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on HS HCS SS SCS SB 781, as amended, are allowed to exceed the differences.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on HCS SB 787, as amended: Senators Clay, DePasco, Schneider, Sims and Childers.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on HS HCS SB 827, as amended: Senators Mathewson, Scott, Lybyer, Childers and Sims.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Scheve.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Carl Dotson, Santrella Herd, Joshua Jasper, Angela Eichholz, Jasmine Burroughs, Megan Glenn, William Pettit and Allen Sutton.

RESOLUTIONS

Representative Reynolds offered House Resolution No. 1438, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 1439 through House Resolution No. 1448, which

were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 1449, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 1450, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 1451 and House Resolution No. 1452, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Klindt offered House Resolution No. 1453, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Lograsso, Ridgeway and Monaco offered House Resolution No. 1454 and 1455, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lograsso offered House Resolution No. 1456, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1457 through House Resolution No. 1459, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution No. 1460 through House Resolution No. 1509, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Speaker Pro Tem Kreider resumed the Chair.

BILL IN CONFERENCE

CCR#2 HCS SB 809, relating to municipal boundaries, was taken up by Representative Hoppe.

Speaker Gaw resumed the Chair.

Representative Gibbons raised a point of order that the Conference Committee Report and the Conference Committee Substitute for HCS SB 809 exceeds the differences between the House and the Senate.

The Chair ruled the point of order not well taken.

On motion of Representative Hoppe, CCR#2 HCS SB 809 was adopted by the following vote:

AYES: 124

Auer Backer Barnett Barry 100 Bartlett

Bauer Bennett Bland Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Farnen Fitzwater Foley

Ford Foster Franklin Fritts Gaskill

Gaston Graham 106 Graham 24 Gratz Green

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Heckemeyer Hegeman Hilgemann Hohulin Hollingsworth

Hoppe Hosmer Howerton Johnson Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Koller

Kreider Lawson Leake Levin Lograsso

Luetkenhaus Marble May 108 Mays 50 McBride

McLuckie Merideth Monaco Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Purgason Ransdall Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Scheve Schilling Schwab Scott

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stroker Summers

Surface Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 025

Akin Alter Boatright Crawford Edwards-Pavia

Enz Evans Froelker Gibbons Griesheimer

Hartzler 124 Hendrickson Klindt Linton Long

Loudon McClelland Miller Murphy Nordwald

Pryor Reinhart Sallee Secrest Townley

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard Bartelsmeyer Berkstresser Hall Hickey

Holand Kasten Lakin Legan Liese

Shear Stoll Thomason 163

VACANCIES: 001

On motion of Representative Hoppe, CCS#2 HCS SB 809 was truly agreed to and finally passed by the following vote:

AYES: 141

Auer Backer Barnett Barry 100 Bartlett

Bauer Bennett Berkstresser Bland Boatright

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Graham 106 Graham 24 Gratz Green

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Linton Lograsso Long

Luetkenhaus Marble May 108 Mays 50 McBride

McLuckie Merideth Miller Monaco Murray

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Scheve Schilling

Schwab Scott Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stroker Surface Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 014

Akin Alter Ballard Edwards-Pavia Evans

Gibbons Griesheimer Loudon McClelland Murphy

Nordwald Secrest Summers Townley

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer Hickey Liese Naeger Sallee

Shear Stoll

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Crump moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on SCS HB 1272, and has taken up and passed CCS SCS HB 1272.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SS SCS HS HB 1694, as amended and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on SS SCS HS HB 1694, as amended: Senators Maxwell, Caskey, McKenna, Flotron and Westfall.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HS HCS SB 827: Representatives Rizzo, Scheve, Bray, Vogel and Cooper

SS SCS HS HB 1694: Representatives Farnen, Gaw, Harlan, Champion and Summers

THIRD READING OF SENATE BILLS

HCS SCS SBs 614, 696, 906, 530, 912 & 914, with HS, as amended, pending, relating to judiciary, was again taken up by Representative May (108).

Representative Backer offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 614, 696, 906, 530, 912 & 914, Page 1, In the Title, Line 12 of said page, by deleting the word "forty-six" and inserting in lieu thereof the word "forty-seven"; and

Further amend said bill, Page 2, Section A, Line 4 of said page, by deleting the word "forty-six" and inserting in lieu thereof the word "forty-seven"; and

Further amend said bill, Page 2, Section A, Line 11 of said page, by deleting "and 2" and inserting in lieu thereof

", 2 and 3"; and

Further amend said bill, Page 71, Section 2, Line 12 of said page, by inserting after all of said line the following:

"Section 3. Notwithstanding the circuit court personnel system, the legal advisors to the circuit clerk or court administrator in the 16th, 21st, and 22nd judicial circuits shall receive an increase in base compensation in the amount of ten thousand dollars annually, subject to appropriation. The provisions of this section shall not affect the applicability of the circuit court personnel system to such positions.".

Representative Backer moved that House Amendment No. 7 be adopted.

Which motion was defeated by the following vote:

AYES: 057

Backer Barry 100 Bauer Bland Bray 84

Carter Clayton Copeland Crump Daniel 42

Daniels 41 Davis 122 Days DeMarce Donovan

Dougherty Fitzwater Foley Ford Franklin

Gibbons Graham 24 Hagan-Harrell Harlan Hickey

Hollingsworth Hoppe Johnson Kelly 27 Kreider

Lawson Leake Luetkenhaus May 108 Mays 50

McLuckie Murray O'Toole Overschmidt Reynolds

Rizzo Scheve Schilling Seigfreid Shelton 57

Shields Smith Stokan Stoll Stroker

Thomason 163 Thompson 72 Treadway Van Zandt Wiggins

Wilson Mr. Speaker

NOES: 096

Akin Alter Auer Ballard Barnett

Bartelsmeyer Bartlett Berkstresser Boatright Bonner

Broach Burton Champion Chrismer Cierpiot

Cooper Crawford Davis 63 Dolan Edwards-Pavia

Elliott Enz Evans Farnen Foster

Fritts Froelker Gaskill Gaston Graham 106

Gratz Green Griesheimer Gross Gunn

Hall Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hilgemann Hohulin Holand Howerton

Kasten Kauffman Kelley 47 Kennedy Kissell

Klindt Lakin Legan Levin Linton

Lograsso Long Loudon Marble McBride

McClelland Merideth Miller Monaco Murphy

Naeger Nordwald O'Connor Ostmann Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Richardson Ridgeway Robirds

Ross Sallee Schwab Scott Secrest

Sheldon 104 Skaggs Steen Summers Surface

Townley Troupe Vogel Wannenmacher Williams 159

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 009

Bennett Boucher Campbell Hosmer Koller

Liese Shear Thompson 37 Williams 121

VACANCIES: 001

Representative Bland offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 614, 696, 906, 530, 912 & 914, Page 1, In the Title, Line 5 of said page, by inserting immediately after the number "491.060," the following: "494.425,"; and

Further amend said bill, Page 1, In the Title, Line 12 of said page, by deleting the word "forty-six" and inserting in lieu thereof the word "forty-seven"; and

Further amend said bill, Page 1, Section A, Line 19 of said page, by inserting immediately after the number "491.060," the following: "494.425,"; and

Further amend said bill, Page 2, Section A, Line 4 of said page, by deleting the word "forty-six" and inserting in lieu thereof the word "forty-seven"; and

Further amend said bill, Page 2, Section A, Line 9 of said page, by inserting immediately after the number "491.060," the numbers "494.425,"; and

Further amend said bill, Page 59, Section 491.060, Line 20 of said page, by inserting after all of said line the following:

"494.425. The following persons shall be disqualified from serving as a petit or grand juror:

(1) Any person who is less than [twenty-one] eighteen years of age;

(2) Any person not a citizen of the United States;

(3) Any person not a resident of the county or city not within a county served by the court issuing the summons;

(4) Any person who has been convicted of a felony, unless such person has been restored to [his] such person's civil rights;

(5) Any person unable to read, speak and understand the English language;

(6) Any person on active duty in the armed forces of the United States or any member of the organized militia on active duty under order of the governor;

(7) Any licensed attorney at law;

(8) Any judge of a court of record;

(9) Any person who, in the judgment of the court or the board of jury commissioners, is incapable of performing the duties of a juror because of mental or physical illness or infirmity.".

Representative Loudon offered House Amendment No. 1 to House Amendment No. 8.

Representative May (108) raised a point of order that House Amendment No. 1 to House Amendment No. 8 is in the third degree.

The Chair ruled the point of order well taken.

On motion of Representative Bland, House Amendment No. 8 was adopted.

Representative Gibbons offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 614, 696, 906, 530, 912 & 914, Page 19, Section 196.790, Line 9, by inserting after said line all of the following:

"Section A. Section 211.031, RSMo 1994, is repealed and one new section is enacted in lieu thereof, to be known as section 211.031, to read as follows:

211.031. 1. Except as otherwise provided in this chapter, the juvenile court or the family court in circuits that have a family court as provided in sections 487.010 to 487.190, RSMo, shall have exclusive original jurisdiction in proceedings:

(1) Involving any child or person seventeen years of age who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The parents, or other persons legally responsible for the care and support of the child or person seventeen years of age, neglect or refuse to provide proper support, education which is required by law, medical, surgical or other care necessary for his or her well-being; except that reliance by a parent, guardian or custodian upon remedial treatment other than medical or surgical treatment for a child or person seventeen years of age shall not be construed as neglect when the treatment is recognized or permitted under the laws of this state;

(b) The child or person seventeen years of age is otherwise without proper care, custody or support; or

(c) The child or person seventeen years of age was living in a room, building or other structure at the time such dwelling was found by a court of competent jurisdiction to be a public nuisance pursuant to section 195.130, RSMo;

(2) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The child while subject to compulsory school attendance is repeatedly and without justification absent from school; or

(b) The child disobeys the reasonable and lawful directions of his or her parents or other custodian and is beyond their control; or

(c) The child is habitually absent from his or her home without sufficient cause, permission, or justification; or

(d) The behavior or associations of the child are otherwise injurious to his welfare or to the welfare of others; or

(e) The child is charged with an offense not classified as criminal, or with an offense applicable only to children; except that, the juvenile court shall not have jurisdiction over any child fifteen and one-half years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, or any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(3) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of seventeen years, in

which cases jurisdiction may be taken by the court of the circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen and one-half years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, or any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(4) For the adoption of a person;

(5) For the commitment of a child or person seventeen years of age to the guardianship of the department of social services as provided by law.

2. Transfer of a matter, proceeding, jurisdiction or supervision for a child or person seventeen years of age who resides in a county of this state shall be made as follows:

(1) Prior to the filing of a petition and upon request of any party or at the discretion of the juvenile officer, the matter in the interest of a child or person seventeen years of age may be transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving court, to the county of the child's residence or the residence of the person seventeen years of age for future action;

(2) Upon the motion of any party or on its own motion prior to final disposition on the pending matter, the court in which a proceeding is commenced may transfer the proceeding of a child or person seventeen years of age to the court located in the county of the child's residence or the residence of the person seventeen years of age, or the county in which the offense under subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

(3) Upon motion of any party or on its own motion, the court in which jurisdiction has been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction of a child or person seventeen years of age to the court located in the county of the child's residence or the residence of the person seventeen years of age for further action with the prior consent of the receiving court;

(4) Upon motion of any party or upon its own motion at any time following a judgment of disposition or treatment pursuant to section 211.181, the court having jurisdiction of the cause may place the child or person seventeen years of age under the supervision of another juvenile court within or without the state pursuant to section 210.570, RSMo, with the consent of the receiving court;

(5) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a child or person seventeen years of age, certified copies of all legal and social documents and records pertaining to the case on file with the clerk of the transferring juvenile court shall accompany the transfer.

3. In any proceeding involving any child or person seventeen years of age taken into custody in a county other than the county of the child's residence or the residence of a person seventeen years of age, the juvenile court of the county of the child's residence or the residence of a person seventeen years of age shall be notified of such taking into custody within seventy-two hours."

On motion of Representative Gibbons, House Amendment No. 9 was adopted.

Representative Gratz offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 614, 696, 906, 530, 912 & 914, Page 28, Section 213.111, Line 19, by adding after said line the following:

"3. Section 494.490 RSMo. to the contrary notwithstanding, in any action before a jury as authorized by this section the percentage of jurors required to concur in any verdict shall be consistent with that required in federal court for similar actions."

Representative May (108) raised a point of order that House Amendment No. 10 amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Loudon offered House Substitute Amendment No. 1 for House Amendment No. 10.

Representative May (108) raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 10 is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Gratz moved that House Amendment No. 10 be adopted.

Which motion was defeated by the following vote:

AYES: 075

Akin Alter Auer Ballard Barnett

Bartelsmeyer Bennett Berkstresser Boatright Broach

Burton Champion Chrismer Cierpiot Cooper

Crawford Dolan Donovan Edwards-Pavia Elliott

Enz Evans Foster Froelker Gaskill

Gibbons Graham 106 Gratz Griesheimer Gross

Hartzler 123 Hartzler 124 Hegeman Hendrickson Hohulin

Holand Howerton Kasten Kauffman Kelley 47

Klindt Legan Levin Linton Long

Loudon Marble McClelland Merideth Miller

Murphy Naeger Nordwald Ostmann Patek

Pouche Pryor Purgason Reinhart Richardson

Robirds Ross Sallee Schwab Scott

Secrest Shields Steen Summers Surface

Thomason 163 Townley Vogel Wannenmacher Wooten

NOES: 079

Backer Barry 100 Bartlett Bauer Bland

Bonner Boucher Bray 84 Carter Clayton

Copeland Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dougherty Farnen

Fitzwater Foley Ford Franklin Fritts

Gaston Graham 24 Green Gunn Hagan-Harrell

Hall Harlan Heckemeyer Hickey Hilgemann

Hollingsworth Hoppe Hosmer Johnson Kelly 27

Kennedy Kissell Koller Kreider Lakin

Lawson Leake Luetkenhaus May 108 Mays 50

McBride McLuckie Monaco Murray O'Connor

O'Toole Overschmidt Parker Ransdall Reynolds

Rizzo Scheve Schilling Seigfreid Shelton 57

Skaggs Smith Stokan Stoll Stroker

Thompson 37 Thompson 72 Troupe Van Zandt Wiggins
Williams 121 Williams 159 Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Campbell Liese Lograsso Relford Ridgeway
Shear Sheldon 104 Treadway

VACANCIES: 001

Representative Backer moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Auer Backer Barry 100 Bartlett Bauer
Bland Bonner Boucher Bray 84 Campbell
Carter Clayton Copeland Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Dougherty Farnen Fitzwater Foley Franklin
Fritts Graham 24 Gratz Green Gunn
Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann
Hollingsworth Hoppe Hosmer Johnson Kelly 27
Kennedy Kissell Koller Kreider Lakin
Lawson Leake Luetkenhaus May 108 Mays 50
McBride McLuckie Merideth Monaco Murray
O'Connor O'Toole Overschmidt Parker Ransdall
Relford Reynolds Rizzo Scheve Schilling
Seigfreid Shelton 57 Skaggs Smith Stokan
Stoll Stroker Thomason 163 Thompson 37 Thompson 72
Treadway Troupe Van Zandt Wiggins Williams 121
Williams 159 Wilson Mr. Speaker

NOES: 072

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Burton
Champion Chrismer Cierpiot Cooper Crawford
Dolan Donovan Edwards-Pavia Enz Evans
Foster Froelker Gaskill Gaston Gibbons

Graham 106 Griesheimer Gross Hall Hartzler 123

Hartzler 124 Hegeman Hendrickson Hohulin Holand

Howerton Kasten Kauffman Kelley 47 Klindt

Legan Levin Linton Lograsso Loudon

Marble McClelland Miller Murphy Naeger

Nordwald Ostmann Patek Pouche Pryor

Purgason Richardson Robirds Ross Sallee

Schwab Scott Secrest Sheldon 104 Shields

Steen Summers Surface Townley Vogel

Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 007

Elliott Ford Liese Long Reinhart

Ridgeway Shear

VACANCIES: 001

On motion of Representative May (108), HS HCS SCS SBs 614, 696, 906, 530, 912 & 914, as amended, was adopted.

On motion of Representative May (108), HS HCS SCS SBs 614, 696, 906, 530, 912 & 914, as amended, was read the third time and passed by the following vote:

AYES: 083

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Clayton Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dougherty

Farnen Fitzwater Foley Ford Franklin

Fritts Gaston Graham 24 Green Gunn

Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann

Hollingsworth Hoppe Hosmer Johnson Kelly 27

Kennedy Kissell Koller Kreider Lakin

Lawson Leake Luetkenhaus May 108 Mays 50

McLuckie Monaco Murray O'Connor O'Toole

Overschmidt Parker Ransdall Relford Reynolds

Rizzo Scheve Schilling Seigfreid Shelton 57

Skaggs Smith Stokan Stoll Stroker

Thomason 163 Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 071

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cooper Crawford Dolan

Donovan Edwards-Pavia Elliott Enz Evans

Foster Froelker Gibbons Graham 106 Gratz

Griesheimer Gross Hartzler 123 Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Kasten

Kauffman Kelley 47 Klindt Legan Levin

Linton Long Loudon Marble McBride

McClelland Merideth Miller Murphy Naeger

Nordwald Ostmann Patek Pouche Pryor

Purgason Reinhart Richardson Robirds Ross

Sallee Schwab Scott Secrest Sheldon 104

Shields Steen Summers Surface Townley

Vogel

PRESENT: 000

ABSENT WITH LEAVE: 008

Carter Cierpiot Gaskill Hall Liese

Lograsso Ridgeway Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Stroker, title to the bill was agreed to.

Representative Riback Wilson moved that the vote by which the bill passed be reconsidered.

Representative Wooten moved that motion lay on the table.

The latter motion prevailed.

Representative Loudon requested a verification of the roll call on the Third Reading and Final Passage of HS HCS SCS SBs 614, 696, 906, 530, 912 & 914, as amended.

HCS SB 680, relating to business organizations, was taken up by Representative May (108).

Representative May (108) offered HS#2 HCS SB 680.

Representative Clayton offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute No. 2 for House Committee Substitute for Senate Bill No. 680, Page 20, Section 351.448, Line 22, by inserting immediately after the word "corporation" the words "but solely in connection with a holding company reorganization"; and

amend said bill and section, page 25, lines 8-22, by deleting all of said lines and inserting in lieu thereof the following:

"4. If a plan of merger is adopted by such domestic corporation by action of its board of directors and without any vote of shareholders pursuant to this section, the articles of merger shall state that the plan of merger has been adopted pursuant to this section and shall set forth the resolution of the board of directors of such domestic corporation approving the plan of merger and the date of adoption of the resolution and shall state that the conditions in the first sentence of subsection 1 of this section have been satisfied. The articles of merger shall also set forth the plan of merger and as to each of the constituent corporations to the merger, the number of shares outstanding, shall be executed and verified as provided in section 351.430 and shall be filed in accordance with section 351.435 and the merger shall become effective in accordance with section 351.440.".

On motion of Representative Clayton, House Amendment No. 1 was adopted.

Representative May (108) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute No. 2 for House Committee Substitute for Senate Bill No. 680, Pages 5 and 6, Section 351.025, by deleting all of said section and inserting in lieu thereof the following:

"351.025. 1. Any existing corporation heretofore organized for profit under any special law of this state may accept the provisions of this chapter and be entitled to all of the rights, privileges and benefits provided by this chapter, as well as accepting the obligations and duties imposed by this chapter, by filing with the secretary of state a certificate of acceptance of this chapter, signed by its president and secretary, duly authorized by its board of directors, and approved by the affirmative vote of a majority of its outstanding shares.

2. Any health services corporation organized as a not for profit corporation pursuant to chapter 354, RSMo, that has complied with the provisions of section 354.065, RSMo, may accept the provisions of this chapter and be entitled to all of the rights, privileges and benefits provided by this chapter, as well as accepting the obligations and duties imposed by this chapter, by filing with the secretary of state a certificate of acceptance of this chapter, signed by its president and secretary, duly authorized by its board of directors, and approved by the affirmative vote of a majority of its outstanding shares, if any.

3. The provisions of subsection 2 of this section shall expire and have no force and effect on and after August 31, 1999."; and

Further amend said bill, Page 27, Section 354.065, Line 19 of said page, by inserting immediately after the number "354.065." the number "1."; and

Further amend said bill, Page 28, Section 354.065, Line 5 of said page, by deleting all of said line and inserting in lieu thereof the following: "amended accordingly.

2. A health services corporation"; and

Further amend said bill, Page 29, Section 354.065, Line 11 of said page, by inserting after all of said line the following:

"3. The provisions of subsection 2 of this section shall expire and have no force and effect on and after August 31, 1999.".

On motion of Representative May (108), House Amendment No. 2 was adopted.

Representative Thomason (163) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute No. 2 for House Committee Substitute for Senate Bill No. 680, Page 1, In the Title, Line 2 of said page, by inserting immediately after the word "sections" the numbers "105.273, 105.274,"; and

Further amend said bill, Page 1, In the Title, Line 7 of said page, by deleting the word "fifteen" and inserting in lieu thereof the word "forty-six"; and

Further amend said bill, Page 1, In the Title, Line 8 of said page, by inserting immediately after the word "subject" the words ", with penalty provisions"; and

Further amend said bill, Page 1, Section A, Line 11 of said page, by inserting immediately after the word "Sections" the numbers "105.273, 105.274,"; and

Further amend said bill, Page 1, Section A, Line 14 of said page, by deleting the word "fifteen" and inserting in lieu thereof the word "forty-six"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by inserting immediately after the word "sections" the numbers "105.273, 105.274,"; and

Further amend said bill, Page 1, Section A, Line 17 of said page, by deleting "and 2" and inserting in lieu thereof the following: ", 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31"; and

Further amend said bill, Page 1, Section 347.163, Line 18 of said page, by inserting immediately before all of said line the following:

"105.273. As used in sections 105.273 to 105.278

(1) "Public security" means a bond, note, certificate of indebtedness, or other obligation for the payment of money, issued by this state or by any of its departments, agencies or other instrumentalities or by any of its political subdivisions;

(2) "Instrument of payment" means a check, draft, warrant or order for the payment, delivery or transfer of funds;

(3) "Authorized officer" means any official of this state or any of its departments, agencies, or other instrumentalities or any of its political subdivisions whose signature to a public security or instrument of payment is required or permitted;

(4) "Facsimile signature" means a reproduction by engraving, imprinting, stamping, or other means of the manual signature of an authorized officer;

(5) "Contract", means any contract executed by a political subdivision of this state and approved by the governing body of the political subdivision.

105.274. Any authorized officer, after filing with the secretary of state his or her manual signature certified by [him] such officer under oath, may execute or cause to be executed with a facsimile signature in lieu of his or her manual signature:

(1) Any public security, provided that at least one signature required or permitted to be placed thereon shall be manually subscribed; [and]

(2) Any instrument of payment. Upon compliance with sections 105.273 to 105.278 by the authorized officer, his or her facsimile signature has the same legal effect as his or her manual signature; and

(3) Any contract executed by a political subdivision of this state and approved by the governing body of the

political subdivision."; and

Further amend said bill, Page 31, Section 358.510, Line 13 of said page, by inserting after all of said line the following:

"Section 1. Sections 1 to 27 of this act are known as the "Missouri Digital Signatures Act."

Section 2. Sections 1 to 27 of this act shall be construed to be consistent with what is commercially reasonable under the circumstances and to effectuate the following purposes:

(1) To facilitate commerce by means of reliable electronic messages;

(2) To minimize the incidence of forged digital signatures and fraud in electronic commerce;

(3) To implement legally the general import of relevant standards, such as X.509 of the International Telecommunication Union (formerly International Telegraph and Telephone Consultative Committee or CCITT); and

(4) To establish, in coordination with multiple states, uniform rules regarding the authentication and reliability of electronic messages.

Section 3. For the purposes of sections 1 to 27 of this act, unless the context expressly indicates otherwise, the following terms shall mean:

(1) "Accept a certificate":

(a) To manifest approval of a certificate, while knowing or having notice of its contents; or

(b) To apply to a licensed certification authority for a certificate, without canceling or revoking the application, if the certification authority subsequently issues a certificate based on the application;

(2) "Asymmetric cryptosystem", an algorithm or series of algorithms which provide a secure key pair;

(3) "Certificate", a computer-based record which:

(a) Identifies the certification authority issuing it;

(b) Names or identifies its subscriber;

(c) Contains the subscriber's public key; and

(d) Is digitally signed by the certification authority issuing it;

(4) "Certification authority", a person who issues a certificate;

(5) "Certification authority disclosure record", an on-line, publicly accessible record which concerns a licensed certification authority and is kept by the division. A certification authority disclosure record has the contents specified by rule of the division pursuant to section 4 of this act;

(6) "Certification practice statement", a declaration of the practices which a certification authority employs in issuing certificates generally, or employs in issuing a material certificate;

(7) "Certify", the declaration of material facts by the certification authority regarding a certificate;

(8) "Confirm", to ascertain through appropriate inquiry and investigation;

(9) "Correspond", with reference to keys, to belong to the same key pair;

(10) "Digital signature", a transformation of a message using an asymmetric cryptosystem such that a person having the initial message and the signer's public key can accurately determine whether:

(a) The transformation was created using the private key that corresponds to the signer's public key; and

(b) The message has been altered since the transformation was made;

(11) "Division", the commissions division of the office of secretary of state for the state of Missouri;

(12) "Forge a digital signature", either:

(a) To create a digital signature without the authorization of the rightful holder of the private key; or

(b) To create a digital signature verifiable by a certificate listing as subscriber a person who either:

a. Does not exist; or

b. Does not hold the private key corresponding to the public key listed in the certificate;

(13) "Hold a private key", to be able to use a private key;

(14) "Incorporate by reference", to make one message a part of another message by identifying the message to be incorporated and expressing the intention that it be incorporated;

(15) "Issue a certificate", the acts of a certification authority in creating a certificate and notifying the subscriber listed in the certificate of the contents of the certificate;

(16) "Key pair", a private key and its corresponding public key in an asymmetric cryptosystem, keys which have the property that the public key can verify a digital signature that the private key creates;

(17) "Licensed certification authority", a certification authority to whom a license has been issued by the division and whose license is in effect;

(18) "Message", a digital representation of information;

(19) "Notify", to communicate a fact to another person in a manner reasonably likely under the circumstances to impart knowledge of the information to the other person;

(20) "Operative personnel", one or more natural persons acting as a certification authority or its agent, or in the employment of or under contract with a certification authority, and who have:

(a) Managerial or policy-making responsibilities for the certification authority; or

(b) Duties directly involving the issuance of certificates, creation of private keys, or administration of a certification authority's computing facilities;

(21) "Person", a human being or any organization capable of signing a document, either legally or as a matter of fact;

(22) "Private key", the key of a key pair used to create a digital signature;

(23) "Public key", the key of a key pair used to verify a digital signature;

(24) "Publish", to record or file in a repository;

(25) "Qualified right to payment", an award of damages against a licensed certification authority by a court having jurisdiction over the certification authority in a civil action for violation of sections 1 to 27 of this act;

(26) "Recipient", a person who receives or has a digital signature and is in a position to rely on it;

(27) "Recognized repository", a repository recognized by the division pursuant to section 25 of this act;

(28) "Recommended reliance limit", the limitation on the monetary amount recommended for reliance on a certificate pursuant to subsection 1 of section 17 of this act;

(29) "Repository", a system for storing and retrieving certificates and other information relevant to digital signatures;

(30) "Revoke a certificate", to make a certificate ineffective permanently from a specified time forward. Revocation is effected by notation or inclusion in a set of revoked certificates, and does not imply that a revoked certificate is destroyed or made illegible;

(31) "Rightfully hold a private key", to be authorized to use a private key:

(a) Which the holder or the holder's agents have not disclosed to any person in violation of subsection 1 of section 13 of this act; and

(b) Which the holder has not obtained through theft, deceit, eavesdropping or other unlawful means;

(32) "Signer", a person who creates a digital signature for a message;

(33) "Subscriber", a person who:

(a) Is the subject listed in a certificate;

(b) Accepts the certificate; and

(c) Holds a private key which corresponds to a public key listed in that certificate;

(34) (a) "Suitable guaranty", either a surety bond executed by a surety authorized by the department of insurance to do business in this state, or an irrevocable letter of credit issued by a financial institution authorized to do business in this state by the division of finance or division of credit unions in the department of economic development, which, in either event, satisfies all of the following requirements, that it:

a. Is issued payable to the division for the benefit of persons holding qualified rights of payment against the

licensed certification authority named as the principal of the bond or customer of the letter of credit;

b. Is in an amount specified by rule of the division pursuant to section 4 of this act;

c. States that it is issued for filing pursuant to the provisions of sections 1 to 27 of this act;

d. Specifies a term of effectiveness extending at least as long as the term of the license to be issued to the certification authority; and

e. Is in a form prescribed by rule of the division;

(b) A suitable guaranty may also provide that the total annual liability on the guaranty to all persons making claims based on it may not exceed the face amount of the guaranty;

(c) A financial institution acting as a certification authority may satisfy the requirements of this subsection from its assets or capital, to the extent of its lending limit as provided by law;

(35) "Suspend a certificate", to make a certificate ineffective temporarily from a specified time forward;

(36) "Time-stamp", either:

(a) To append or attach to a message, digital signature or certificate a digitally signed notation indicating at least the date and time the notation was appended or attached, and the identity of the person appending or attaching the notation; or

(b) The notation thus appended or attached;

(37) "Transactional certificate", a valid certificate incorporating by reference one or more digital signatures;

(38) "Trustworthy system", computer hardware and software which:

(a) Are reasonably secure from intrusion and misuse;

(b) Provide a reasonable level of availability, reliability and correct operation; and

(c) Are reasonably suited to performing their intended functions;

(39) (a) "Valid certificate", a certificate which:

a. A licensed certification authority has issued;

b. The subscriber listed in it has accepted;

c. Has not been revoked or suspended; and

d. Has not expired;

(b) A transactional certificate is a valid certificate only in relation to the digital signature incorporated in it by reference;

(40) "Verify a digital signature", in relation to a given digital signature, message and public key, to determine accurately that:

(a) The digital signature was created by the private key corresponding to the public key; and

(b) The message has not been altered since its digital signature was created.

Section 4. 1. The division may be a certification authority, and may issue, suspend and revoke certificates in the manner prescribed for licensed certification authorities in sections 1 to 27 of this act.

2. The division shall maintain a publicly accessible database containing a certification authority disclosure record for each licensed certification authority. The division shall publish the contents of the database in at least one recognized repository.

3. The division shall promulgate such rules as are necessary to effectuate the provisions of sections 1 to 27 of this act, including rules:

(1) Governing licensed certification authorities, their practice and the termination of a certification authority's practice;

(2) Determining an amount appropriate for a suitable guaranty, in light of:

(a) The burden a suitable guaranty places upon licensed certification authorities; and

(b) The assurance of financial responsibility it provides to persons who rely on certificates issued by licensed certification authorities;

(3) For reviewing software for use in creating digital signatures and publish reports concerning software;

(4) Specifying reasonable requirements for the form of certificates issued by licensed certification authorities, in accordance with generally accepted standards for digital signature certificates;

(5) Specifying reasonable requirements for recordkeeping by licensed certification authorities;

(6) Specifying reasonable requirements for the content, form and sources of information in certification authority disclosure records, the updating and timeliness of such information, and other practices and policies relating to certification authority disclosure records; and

(7) Specifying the form of certification practice statements.

4. No rule or portion of a rule promulgated pursuant to the authority of sections 1 to 27 of this act shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

Section 5. 1. To obtain or retain a license a certification authority shall:

(1) Be the subscriber of a certificate published in a recognized repository;

(2) Employ as operative personnel only persons who have not been convicted of a felony or a crime involving fraud, false statement or deception;

(3) Employ as operative personnel only persons who have demonstrated knowledge and proficiency in following the requirements of sections 1 to 27 of this act;

(4) File with the division a suitable guaranty, unless the certification authority is the governor, a department or division of state government, the attorney general, state auditor, state treasurer, the supreme court, a city, a county or the legislature or its staff offices provided that:

(a) Each of such governmental entities may act through designated officials authorized by ordinance, rule or statute to perform certification authority functions; and

(b) One of such governmental entities is the subscriber of all certificates issued by the certification authority;

(5) Have the right to use a trustworthy system, including a secure means for controlling usage of its private key;

(6) Present proof to the division of having working capital reasonably sufficient, according to rules of the division, to enable the applicant to conduct business as a certification authority;

(7) Comply with all other licensing requirements established by division rule.

2. The division shall issue a license to a certification authority which:

(1) Is qualified pursuant to subsection 1 of this section;

(2) Applies in writing to the division for a license; and

(3) Pays the required filing fee.

3. (1) The division may classify and issue licenses according to specified limitations, such as a maximum number of outstanding certificates, cumulative maximum of recommended reliance limits in certificates issued by the certification authority, or issuance only within a single firm or organization;

(2) A certification authority acts as an unlicensed certification authority when issuing a certificate exceeding the limits of the license.

4. (1) The division may revoke or suspend a certification authority's license for failure to comply with sections 1 to 27 of this act, or for failure to remain qualified pursuant to subsection 1 of this section;

(2) The division's actions pursuant to this subsection are subject to the procedures for adjudicative proceedings in chapter 621, RSMo.

5. The division may recognize by rule the licensing or authorization of certification authorities by other governmental entities, provided that those licensing or authorization requirements are substantially similar to those of this state. If licensing by another governmental entity is so recognized:

(1) Sections 19 to 24 of this act, which relates to presumptions and legal effects, applies to certificates issued by the certification authorities licensed or authorized by that governmental entity in the same manner as it applies to licensed certification authorities of this state; and

(2) The liability limits of section 17 of this act apply to the certification authorities licensed or authorized by that governmental entity in the same manner as they apply to licensed certification authorities of this state.

6. Unless the parties provide otherwise by contract between themselves, the licensing requirements in this

section do not affect the effectiveness, enforceability or validity of any digital signature except that sections 19 to 24 of this act do not apply to a digital signature which cannot be verified by a certificate issued by a licensed certification authority. Further, the liability limits of section 17 of this act do not apply to unlicensed certification authorities.

Section 6. 1. A certified public accountant having expertise in computer security, or an accredited computer security professional, shall audit the operations of each licensed certification authority at least once each year to evaluate compliance with sections 1 to 27 of this act. The division may specify qualifications for auditors in greater detail by rule.

2. (1) Based on information gathered in the audit, the auditor shall categorize the licensed certification authority's compliance as one of the following:

(a) Full compliance, which means the certification authority appears to conform to all applicable statutory and regulatory requirements;

(b) Substantial compliance, which means the certification authority generally appears to conform to all applicable statutory and regulatory requirements; however, one or more instances of noncompliance or inability to demonstrate compliance were found in the audited sample, but were likely to be inconsequential;

(c) Partial compliance, which means the certification authority appears to comply with some statutory and regulatory requirements, but was found not to have complied or not to be able to demonstrate compliance with one or more important safeguards; or

(d) Noncompliance, which means the certification authority complies with few or none of the statutory and regulatory requirements, fails to keep adequate records to demonstrate compliance with more than a few requirements, or refused to submit to an audit;

(2) The auditor shall report the date of the audit of the licensed certification authority and resulting categorization to the division;

(3) The division shall publish in the certification authority disclosure record it maintains for the certification authority, the date of the audit and the resulting categorization of the certification authority.

3. (1) The division may exempt a licensed certification authority from the requirements of subsection 1 of this section if:

(a) The certification authority to be exempted requests exemption in writing;

(b) The most recent performance audit, if any, of the certification authority resulted in a finding of full or substantial compliance; and

(c) The certification authority declares under oath or affirmation that one or more of the following is true with respect to the certification authority:

a. The certification authority has issued fewer than six certificates during the past year and the total of the recommended reliance limits of all such certificates does not exceed ten thousand dollars;

b. The aggregate lifetime of all certificates issued by the certification authority during the past year is less than thirty days and the total of the recommended reliance limits of all such certificates does not exceed ten thousand dollars; or

c. The recommended reliance limits of all certificates outstanding and issued by the certification authority total less than one thousand dollars;

(2) If the certification authority's declaration pursuant to subdivision (1) of subsection 3 of this section falsely states a material fact, the certification authority shall have failed to comply with the performance audit requirement of this subsection;

(3) If a licensed certification authority is exempt pursuant to this subsection, the division shall publish in the certification authority disclosure record it maintains for the certification authority a statement that the certification authority is exempt from the performance audit requirement.

Section 7. 1. The division may investigate the activities of a licensed certification authority material to its compliance with this chapter and issue orders to a certification authority to further its investigation and ensure compliance with sections 1 to 27 of this act.

2. As provided in section 5 of this act, the division may restrict a certification authority's license for its failure to comply with an order of the division, or may suspend or revoke the license of a certification authority.

3. Any person who knowingly or intentionally violates an order of the division issued pursuant to this section or section 8 of this act is subject to a civil penalty of not more than five thousand dollars per violation or ninety percent of the recommended reliance limit of a material certificate, whichever is less.

4. The division may order a certification authority in violation of sections 1 to 27 of this act to pay the costs incurred by the division in prosecuting and adjudicating proceedings relative to, and in enforcement of, the order.

5. Administrative proceedings undertaken pursuant to this section shall be conducted pursuant to chapter 536, RSMo.

Section 8. 1. A certification authority, whether licensed or not, may not conduct its business in a manner that creates an unreasonable risk of loss to subscribers of the certification authority, to persons relying on certificates issued by the certification authority, or to a repository.

2. (1) The division may publish in one or more recognized repositories brief statements advising subscribers, persons relying on digital signatures, and repositories about any activities of a licensed or unlicensed certification authority, of which the division has actual knowledge, which create a risk prohibited by subsection 1 of this section;

(2) The certification authority named in a statement as creating such a risk may protest the publication of the statement by filing a brief, written defense. Upon receipt of such a protest, the division shall:

(a) Publish the written defense along with the division's statement;

(b) Publish notice that a hearing has been scheduled to determine the facts and to decide the matter; and

(c) Promptly give the protesting certification authority notice and a hearing as provided in chapter 536, RSMo;

(3) Following the hearing, the division shall:

(a) Rescind the advisory statement if its publication was unwarranted pursuant to this section;

(b) Cancel the advisory statement if its publication is no longer warranted;

(c) Continue or amend the advisory statement if it remains warranted; or

(d) Take further legal action to eliminate or reduce a risk prohibited by subsection 1 of this section;

(4) The division shall publish its decision in one or more recognized repositories.

3. Nothing in sections 1 to 27 of this act shall be construed to prevent the division from exercising any and all legal methods to enforce the provisions of sections 1 to 27 of this act. The provisions of this section do not create a right of action in any person other than the division.

Section 9. 1. A licensed certification authority or subscriber shall use only a trustworthy system:

(1) To issue, suspend or revoke a certificate;

(2) To publish or give notice of the issuance, suspension or revocation of a certificate; and

(3) To create a private key.

2. A licensed certification authority shall disclose any material certification practice statement, and any fact material to either the reliability of a certificate which it has issued or its ability to perform its services. A certification authority may require a signed, written and reasonably specific inquiry from an identified person, and payment of reasonable compensation, as conditions precedent to effecting a disclosure required in this subsection.

Section 10. 1. A licensed certification authority may issue a certificate to a subscriber only after all of the following conditions are satisfied:

(1) The certification authority has received a request for issuance signed by the prospective subscriber; and

(2) The certification authority has confirmed that:

(a) The prospective subscriber is the person to be listed in the certificate to be issued;

(b) If the prospective subscriber is acting through one or more agents, the subscriber authorized the agent or agents to have custody of the subscriber's private key and to request issuance of a certificate listing the corresponding public key;

(c) The information in the certificate to be issued is accurate after due diligence;

(d) The prospective subscriber rightfully holds the private key corresponding to the public key to be listed in the certificate;

(e) The prospective subscriber holds a private key capable of creating a digital signature; and

(f) The public key to be listed in the certificate can be used to verify a digital signature affixed by the private key held by the prospective subscriber;

(3) The requirements of this subsection may not be waived or disclaimed by the licensed certification authority or the subscriber.

2. (1) If the subscriber accepts the issued certificate, the certification authority shall publish a signed copy of the certificate in a recognized repository agreed upon by the certification authority and the subscriber named in the certificate, unless the contract between the certification authority and the subscriber provides otherwise;

(2) If the subscriber does not accept the certificate, a licensed certification authority shall not publish the certificate or shall cancel its publication if the certificate has already been published.

3. Nothing in this section precludes a licensed certification authority from conforming to standards, certification practice statements, security plans, or contractual requirements more rigorous than, but consistent with, sections 1 to 27 of this act.

4. (1) A licensed certification authority which has issued a certificate:

(a) Shall revoke a certificate immediately upon confirming that it was not issued as required by this section; or

(b) May suspend, for a reasonable period of time not to exceed forty-eight hours, a certificate which it has issued in order to conduct an investigation to confirm grounds for revocation pursuant to paragraph (a) of this subdivision;

(2) The certification authority shall give notice of the revocation or suspension to the subscriber as soon as practicable.

5. (1) The division may order the licensed certification authority to suspend or revoke a certificate which the certification authority issued if, after giving the certification authority and subscriber any required notice and opportunity for a hearing in accordance with chapter 536, RSMo, the division determines that:

(a) The certificate was issued without substantial compliance with this section; and

(b) The noncompliance poses a significant risk to persons reasonably relying on the certificate;

(2) The division may suspend a certificate for a reasonable period of time not to exceed forty-eight hours upon determining that an emergency requires an immediate remedy.

Section 11. 1. (1) By issuing a certificate, a licensed certification authority warrants to the subscriber named in the certificate that:

(a) The certificate contains no information known to the certification authority to be false;

(b) The certificate satisfies all material requirements of sections 1 to 27 of this act; and

(c) The certification authority has not exceeded any limits of its license in issuing the certificate;

(2) The certification authority may not disclaim or limit the warranties of this subsection.

2. Unless the subscriber and certification authority otherwise agree, a certification authority, by issuing a certificate, shall:

(1) Act promptly to suspend or revoke a certificate in accordance with sections 14 and 15 of this act; and

(2) Notify the subscriber within a reasonable time of any facts known to the certification authority which significantly affect the validity or reliability of the certificate once it is issued.

3. By issuing a certificate, a licensed certification authority certifies to all who reasonably rely on the information contained in the certificate that:

(1) The information in the certificate and listed as confirmed by the certification authority is accurate;

(2) All foreseeable information material to the reliability of the certificate is stated or incorporated by reference within the certificate;

(3) The subscriber has accepted the certificate; and

(4) The licensed certification authority has complied with all applicable laws of this state governing issuance of the certificate.

4. By publishing a certificate, a licensed certification authority certifies to the repository in which the certificate is published and to all who reasonably rely on the information contained in the certificate that the certification authority has issued the certificate to the subscriber.

Section 12. 1. By accepting a certificate issued by a licensed certification authority, the subscriber listed in the certificate certifies to all who reasonably rely on the information contained in the certificate that:

(1) The subscriber rightfully holds the private key corresponding to the public key listed in the certificate;

(2) All representations made by the subscriber to the certification authority and material to information listed in the certificate are true;

(3) All material representations made by the subscriber to a certification authority or made in the certificate and not confirmed by the certification authority in issuing the certificate are true.

2. An agent, requesting on behalf of a principal that a certificate be issued naming the principal as subscriber, certifies that the agent:

(1) Holds all authority legally required to apply for issuance of a certificate naming the principal as subscriber; and

(2) Has authority to sign digitally on behalf of the principal, and, if that authority is limited in any way, that adequate safeguards exist to prevent a digital signature exceeding the bounds of the person's authority.

3. A person may not disclaim or contractually limit the application of this section, or obtain indemnity for its effects, if the disclaimer, limitation or indemnity restricts liability for misrepresentation as against persons reasonably relying on the certificate.

4. (1) By accepting a certificate, a subscriber undertakes to indemnify the issuing certification authority for any loss or damage caused by issuance or publication of a certificate in reliance on a false and material representation of fact by the subscriber, or the failure by the subscriber to disclose a material fact if the representation or failure to disclose was made either with intent to deceive the certification authority or a person relying on the certificate or was made with negligence;

(2) If the certification authority issued the certificate at the request of an agent of the subscriber, the agent personally undertakes to indemnify the certification authority pursuant to subdivision (1) of this subsection as if the agent was an accepting subscriber in his or her own right. The indemnity provided in subdivision (1) of this subsection may not be disclaimed or contractually limited in scope, however, a contract may provide consistent, additional terms regarding the indemnification.

5. In obtaining information of the subscriber material to issuance of certificate, the certification authority may require the subscriber to certify the accuracy of relevant information under oath or affirmation of truthfulness and under penalty of criminal prohibitions against false, sworn statements.

Section 13. 1. By accepting a certificate issued by a licensed certification authority, the subscriber identified in the certificate assumes a duty to exercise reasonable care to retain control of the private key and prevent its disclosure to any person not authorized to create the subscriber's digital signature.

2. A private key is the personal property of the subscriber who rightfully holds it.

3. If a certification authority holds the private key corresponding to a public key as a fiduciary of the subscriber named in the certificate, the certification authority may use that private key only with the subscriber's prior, written approval, unless the subscriber expressly permits the certification authority to hold the private key according to other terms.

Section 14. 1. (1) Unless the certification authority and the subscriber agree otherwise, the licensed certification authority which issued a certificate which is not a transactional certificate shall suspend the certificate for a period not exceeding forty-eight hours:

(a) Upon request by a person identifying himself or herself as the subscriber named in the certificate, or as a person in a position likely to know of a compromise of the security of subscriber's private key, such as an agent, business associate, employee or member of the immediate family of the subscriber; or

(b) By order of the division pursuant to subsection 5 of section 10 of this act;

(2) The certification authority need not confirm the identity or agency of the person requesting suspension pursuant to paragraph (a) of subdivision (1) of this subsection.

2. (1) Unless the certificate provides otherwise or the certificate is a transactional certificate, the division, a court clerk, or county clerk may suspend a certificate issued by a licensed certification authority for a period of forty-eight hours, if:

(a) A person requests suspension and identifies himself or herself as the subscriber named in the certificate or as an agent, business associate, employee or member of the immediate family of the subscriber; and

(b) The requester represents that the certification authority which issued the certificate is unavailable;

(2) The division, court clerk or county clerk may:

(a) Require the person requesting suspension pursuant to subdivision (1) of this subsection to provide evidence, including a statement under oath or affirmation, regarding any information described in subdivision (1) of this subsection; and

(b) Suspend or decline to suspend the certificate in its discretion;

(3) The division, attorney general or county attorney may investigate suspensions by the division, a court clerk or a county clerk for possible wrongdoing by persons requesting suspension pursuant to subdivision (1) of this subsection.

3. (1) Immediately upon suspension of a certificate by a licensed certification authority, the licensed certification authority shall publish notice, signed by the licensed certification authority, of the suspension in any repositories specified in the certificate for publication of notice of suspension. If any repository specified in the certificate no longer exists or refuses to accept publication, or is no longer recognized pursuant to section 25 of this act, the licensed certification authority shall publish the notice in any recognized repository;

(2) If a certificate is suspended by the division, a court clerk or county clerk, the division or clerk shall give notice as required in subdivision (1) of this subsection for a licensed certification authority, provided that the person requesting suspension pays in advance any fee required by a repository for publication of the notice of suspension.

4. A certification authority shall terminate a suspension initiated by request only:

(1) If the subscriber named in the suspended certificate requests termination of the suspension and the certification authority has confirmed that the person requesting suspension is the subscriber or an agent of the subscriber authorized to terminate the suspension; or

(2) When the certification authority discovers and confirms that the request for the suspension was made without authorization by the subscriber, provided that this subdivision does not require the certification authority to confirm a request for suspension.

5. The contract between a subscriber and a licensed certification authority may limit or preclude requested suspension by the certification authority, or may provide otherwise for termination of a requested suspension. However, if the contract limits or precludes suspension by the division, a court clerk or a county clerk when the issuing certification authority is unavailable, the limitation or preclusion shall be effective only if notice of the limitation or preclusion is published in the certificate.

6. A person may not knowingly or intentionally misrepresent to a certification authority his or her identity or authorization in requesting suspension of a certificate. Violation of this subsection is a class B misdemeanor.

7. While the certificate is suspended, the subscriber is released from the duty to keep the private key secure pursuant to subsection 1 of section 13 of this act.

Section 15. 1. A licensed certification authority shall revoke a certificate which it issued, but which is not a transactional certificate, after:

(1) Receiving a request for revocation by the subscriber named in the certificate; and

(2) Confirming that the person requesting revocation is that subscriber, or is an agent of that subscriber with authority to request the revocation.

2. A licensed certification authority shall confirm a request for revocation and revoke a certificate within one business day after receiving both a subscriber's written request and evidence reasonably sufficient to confirm the identity and any agency of the person requesting the suspension.

3. A licensed certification authority shall revoke a certificate which it issued:

(1) Upon receiving a certified copy of the subscriber's death certificate, or upon confirming by other evidence that the subscriber is dead; or

(2) Upon presentation of documents effecting a dissolution of the subscriber, or upon confirming by other evidence that the subscriber has been dissolved or has ceased to exist.

4. A licensed certification authority may revoke one or more certificates which it issued if the certificates are or become unreliable, regardless of whether the subscriber consents to the revocation.

5. Immediately upon revocation of a certificate by a licensed certification authority, the licensed certification authority shall publish signed notice of the revocation in any repository specified in the certificate for publication of notice of revocation. If any repository specified in the certificate no longer exists or refuses to accept publication, or is no longer recognized pursuant to section 25 of this act, the licensed certification authority shall publish the notice in any recognized repository.

6. A subscriber ceases to certify the information, as provided in section 12 of this act, and has no further duty to keep the private key secure, as required by section 13 of this act, in relation to a certificate whose revocation

the subscriber has requested, beginning with the earlier of either:

(1) When notice of the revocation is published as required in subsection 5 of this section; or

(2) Two business days after the subscriber requests revocation in writing, supplies to the issuing certification authority information reasonably sufficient to confirm the request, and pays any contractually required fee.

7. Upon notification as required by subsection 5 of this section, a licensed certification authority is discharged of its warranties based on issuance of the revoked certificate and ceases to certify the information, as provided in section 11 of this act, in relation to the revoked certificate.

Section 16. A certificate shall indicate the date on which it expires. When a certificate expires, the subscriber and certification authority cease to certify the information in the certificate as provided in sections 1 to 27 of this act and the certification authority is discharged of its duties based on issuance of that certificate.

Section 17. 1. By specifying a recommended reliance limit in a certificate, the issuing certification authority and the accepting subscriber recommend that persons rely on the certificate only to the extent that the total amount at risk does not exceed the recommended reliance limit.

2. Unless a licensed certification authority waives application of this subsection, a licensed certification authority is:

(1) Not liable for any loss caused by reliance on a false or forged digital signature of a subscriber, if, with respect to the false or forged digital signature, the certification authority complied with all material requirements of sections 1 to 27 of this act;

(2) Not liable in excess of the amount specified in the certificate as its recommended reliance limit for either:

(a) A loss caused by reliance on a misrepresentation in the certificate of any fact that the licensed certification authority is required to confirm; or

(b) Failure to comply with section 10 of this act in issuing the certificate;

(3) Liable only for direct, compensatory damages in any action to recover a loss due to reliance on the certificate, which damages do not include:

(a) Punitive or exemplary damages;

(b) Damages for lost profits, savings or opportunity; or

(c) Damages for pain or suffering.

Section 18. 1. (1) Notwithstanding any provision in the suitable guaranty to the contrary:

(a) If the suitable guaranty is a surety bond, a person may recover from the surety the full amount of a qualified right to payment against the principal named in the bond, or, if there is more than one such qualified right to payment during the term of the bond, a ratable share, up to a maximum total liability of the surety equal to the amount of the bond; or

(b) If the suitable guaranty is a letter of credit, a person may recover from the issuing financial institution the full amount of a qualified right to payment against the customer named in the letter of credit, or, if there is more than one qualified right to payment during the term of the letter of credit, a ratable share, up to a maximum total liability of the issuer equal to the amount of the credit;

(2) Claimants may recover successively on the same suitable guaranty, provided that the total liability on the suitable guaranty to all persons making claims based upon qualified rights of payment during its term may not exceed the amount of the suitable guaranty.

2. To recover a qualified right to payment against a surety or issuer of a suitable guaranty, the claimant shall file written notice of the claim with the division stating the name and address of the claimant, the amount claimed, and the grounds for the qualified right to payment, and any other information required by rule of the division.

3. Recovery of a qualified right to payment from the proceeds of the suitable guaranty shall be forever barred unless:

(1) The claimant substantially complies with subsection 2 of this section; and

(2) Notice of the claim is filed within two years after the occurrence of the violation of any of sections 1 to 27 of this act which is the basis for the claim.

Section 19. 1. Where a rule of law requires a signature, or provides for certain consequences in the absence of a signature, that rule is satisfied by a digital signature if:

(1) That digital signature is verified by reference to the public key listed in a valid certificate issued by a licensed certification authority;

(2) That digital signature was affixed by the signer with the intention of signing the message; and

(3) The recipient has no knowledge or notice that the signer either:

(a) Breached a duty as a subscriber; or

(b) Does not rightfully hold the private key used to affix the digital signature.

2. Nothing in sections 1 to 27 of this act precludes any symbol from being valid as a signature pursuant to other applicable law.

3. This section does not limit the authority of the department of revenue to prescribe the form of tax returns or other documents filed with the department of revenue.

Section 20. Unless otherwise provided by law or contract, the recipient of a digital signature assumes the risk that a digital signature is forged, if reliance on the digital signature is not reasonable under the circumstances. If the recipient determines not to rely on a digital signature pursuant to this section, the recipient shall promptly notify the signer of its determination not to rely on the digital signature.

Section 21. 1. A message is as valid, enforceable and effective as if it had been written on paper, if it:

(1) Bears in its entirety a digital signature; and

(2) That digital signature is verified by the public key listed in a certificate which:

(a) Was issued by a licensed certification authority; and

(b) Was valid at the time the digital signature was created.

2. Nothing in this chapter precludes any message, document or record from being considered written or in writing pursuant to other applicable state law.

Section 22. A copy of a digitally signed message is as effective, valid and enforceable as the original of the message, unless it is evident that the signer designated an instance of the digitally signed message to be a unique original, in which case only that instance constitutes the valid, effective and enforceable message.

Section 23. Unless otherwise provided by law or contract, a certificate issued by a licensed certification authority is an acknowledgement of a digital signature verified by reference to the public key listed in the certificate, regardless of whether words of an express acknowledgement appear with the digital signature or whether the signer physically appeared before the certification authority when the digital signature was created, if that digital signature is:

(1) Verifiable by that certificate; and

(2) Affixed when that certificate was valid.

Section 24. In adjudicating a dispute involving a digital signature, a court of this state shall presume that:

(1) A certificate digitally signed by a licensed certification authority and either published in a recognized repository or made available by the issuing certification authority or by the subscriber listed in the certificate is issued by the certification authority which digitally signed it and is accepted by the subscriber listed in it;

(2) The information listed in a valid certificate, as defined in section 3 of this act, and confirmed by a licensed certification authority issuing the certificate is accurate;

(3) If a digital signature is verified by the public key listed in a valid certificate issued by a licensed certification authority, it shall have the same force and effect as the use of a manual signature; and

(4) A digital signature was created before it was time stamped by a disinterested person utilizing a trustworthy system.

Section 25. 1. A repository may apply to the division for recognition by filing a written request and providing evidence to the division that the repository meets the requirements of subsection 2 of this section. The division shall determine whether to grant or deny the request in the manner provided for adjudicative proceedings in chapter 536, RSMo.

2. The division shall recognize a repository, after finding that the repository:

(1) Is operated under the direction of a licensed certification authority;

(2) Includes a database containing:

(a) Certificates published in the repository;

(b) Notices of suspended or revoked certificates published by licensed certification authorities or other persons

suspending or revoking certificates as provided in sections 14 and 15 of this act;

(c) Certification authority disclosure records for licensed certification authorities;

(d) All orders or advisory statements published by the division in regulating certification authorities; and

(e) Other information as determined by rule of the division;

(3) Operates by means of a trustworthy system;

(4) Contains no significant amount of information which the division finds is known or likely to be untrue, inaccurate or not reasonably reliable;

(5) Contains certificates published by certification authorities required to conform to rules of practice which the division finds to be substantially similar to, or more stringent toward the certification authorities, than those of this state;

(6) Keeps an archive of certificates that have been suspended or revoked, or that have expired within at least the past three years; and

(7) Complies with other requirements prescribed by rule of the division.

3. The division's recognition of a repository may be discontinued upon the repository's written request for discontinuance filed with the division at least thirty days before discontinuance.

4. The division may discontinue recognition of a repository:

(1) Upon passage of an expiration date specified by the division in granting recognition; or

(2) In accordance with the procedures for adjudicative proceedings prescribed by chapter 536, RSMo, if the division concludes that the repository no longer satisfies the conditions for recognition listed in this section or in rules of the division.

Section 26. 1. Notwithstanding any disclaimer by the repository or any contract to the contrary between the repository, a certification authority, or a subscriber, a repository is liable for a loss incurred by a person reasonably relying on a digital signature verified by the public key listed in a suspended or revoked certificate if:

(1) The loss was incurred more than one business day after receipt by the repository of a request to publish notice of the suspension or revocation; and

(2) The repository had failed to publish the notice of suspension or revocation when the person relied on the digital signature.

2. Unless waived, a recognized repository or the owner or operator of a recognized repository is:

(1) Not liable:

(a) For failure to publish notice of a suspension or revocation, unless the repository has received notice of publication and one business day has elapsed since the notice was received;

(b) For any damages pursuant to subsection 1 of this section in excess of the amount specified in the certificate as the recommended reliance limit;

(c) For misrepresentation in a certificate published by a licensed certification authority;

(d) For accurately recording or reporting information which a licensed certification authority, the division, a county clerk or court clerk has published as provided in sections 1 to 27 of this act, including information about suspension or revocation of a certificate; or

(e) For reporting information about a certification authority, a certificate or a subscriber, if such information is published as provided in sections 1 to 27 of this act or a rule of the division, or is published by order of the division in the performance of its licensing and regulatory duties pursuant to sections 1 to 27 of this act; and

(2) Liable pursuant to subsection 1 of this section only for direct compensatory damages, which do not include:

(a) Punitive or exemplary damages;

(b) Damages for lost profits, savings or opportunity; or

(c) Damages for pain or suffering.

Section 27. The following governmental entity records are exempt from chapter 610, RSMo, and are not considered public records for the purposes of that chapter:

(1) Records containing information that would disclose, or might lead to the disclosure of private keys, asymmetric cryptosystems or algorithms; or

(2) Records, the disclosure of which might jeopardize the security of an issued certificate or a certificate to be issued.

Section 28. 1. Any statement, document or notice, except any document or judicial decree relating to the secretary of state's statutory or constitutional duties regarding elections, required or permitted to be filed with or transmitted by the secretary of state, or any judicial decree requiring the filing of such document, may be filed, transmitted, stored and maintained in an electronic format prescribed by the secretary of state. No statement, document or notice submitted or filed in an electronic format need be submitted or filed in duplicate. Nothing in this section shall require the secretary of state to accept or transmit any statement, document or notice in an electronic format.

2. Any statutory requirement that a statement, document or notice be signed by any person shall be satisfied by an electronically transmitted signature that is:

(1) Unique to the person using it;

(2) Capable of verification;

(3) Under the sole control of the person using it;

(4) Linked to the document in such a manner that if the data is changed, the signature is invalidated; and

(5) Intended by the party using it to have the same force and effect as the use of a manual signature.

3. Any requirement that a statement, document or notice filed with the secretary of state be notarized may be satisfied by a properly authenticated digital signature. The execution of any statement, document or notice with a digital signature pursuant to this subsection constitutes an affirmation under penalty of perjury that the facts stated therein are true and that such person or persons are duly authorized to execute such statement, document or notice, or are otherwise required to file such statement, document or notice.

Section 29. The secretary of state may accept credit or debit cards and establish a new revenue collection center for prepaid accounts for the payment of required taxes and fees. The secretary of state shall work with the state treasurer and the office of administration in connection with such payments. No person establishing a prepayment account pursuant to this section shall be entitled to payment of any interest on such account. Funds in prepayment accounts shall be refundable upon the order of the person or persons authorized to transfer money from such an account."; and

Further amend said bill, Page 31, Section 1, Line 14 of said page, by deleting "Section 1." and inserting in lieu thereof the following: "Section 30."; and

Further amend said bill, Page 33, Section 2, Line 1 of said page, by deleting "Section 2." and inserting in lieu thereof the following: "Section 31.".

On motion of Representative Thomason (163), House Amendment No. 3 was adopted.

On motion of Representative May (108), HS#2 HCS SB 680, as amended, was adopted.

On motion of Representative May (108), HS#2 HCS SB 680, as amended, was read the third time and passed by the following vote:

AYES: 144

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Daniel 42 Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Edwards-Pavia Enz

Evans Farnen Fitzwater Foley Ford

Foster Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Linton Lograsso Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 72 Townley

Treadway Troupe Vogel Wannenmacher Wiggins

Williams 159 Wilson Wooten Mr. Speaker

NOES: 005

Burton Campbell Kissell Sheldon 104 Van Zandt

PRESENT: 000

ABSENT WITH LEAVE: 013

Crump Davis 63 Dougherty Elliott Franklin

Gross Hegeman Liese Long Purgason

Shear Thompson 37 Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Murray, title to the bill was agreed to.

Representative O'Connor moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

HCS SB 936, relating to sales & use tax, was taken up by Representative Bray.

Representative Bray offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 936, Page 7, Section 144.010, Line 91 by inserting a comma "," after the word "property"; and

Further amend said bill, Page 8, Section 144.014, Line 13 by deleting the word "fifty" and inserting in lieu thereof the word "eighty"; and

Further amend said substitute, Page 9, Section 144.030, Line 34 by inserting after the word "steel" the words "or glass"; and

Further amend said substitute, Page 12, Section 144.030, Line 115 by inserting after the word "by" the words "or on behalf of".

On motion of Representative Bray, House Amendment No. 1 was adopted.

Representative DeMarce offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 936, Page 16, Section 144.030, Line 280, by deleting the period at the end of said line and replacing it with a semicolon, and by inserting at the end of said line the following:

"(42) Drainage pipe and tile to be used on agricultural land for purposes of soil and water conservation.".

On motion of Representative DeMarce, House Amendment No. 2 was adopted.

Representative Farnen offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 936, Page 16, Section 144.030, Line 280 by inserting after said line the following:

"(42) All sales of textbooks, as defined by section 170.051, RSMo, when such textbook is purchased for use by a student who possesses proof of current enrollment at any public or private university, college or other postsecondary institution of higher learning offering a course of study leading to a degree in the liberal arts, humanities or sciences or in a professional, vocational or technical field.".

On motion of Representative Farnen, House Amendment No. 3 was adopted.

Representative Reynolds offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 936, Page 16, Section 144.030, Line 280, by inserting after said line the following:

"(42) All sales of equipment and other tangible personal property required to conduct games of bowling in bowling alleys where sales tax is collected on the gross receipts of such games.".

Representative Gratz offered House Substitute Amendment No. 1 for House Amendment

No. 4.

House Substitute Amendment No. 1

for

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 936, Page 16, Section 144.030, Line 280, by deleting the period "." at the end of said line and inserting in lieu thereof the following: ";

(42) All sales of machinery, equipment and other tangible personal property required to conduct games of bowling in bowling alleys where sales tax is collected on the gross receipts of such games.".

On motion of Representative Gratz, House Substitute Amendment No. 1 for House Amendment No. 4 was adopted.

Representative O'Connor offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 936, Page 1, In the title, Line 2, by inserting after the words "repeal sections" the figure "144.025,"; and

Further amend said bill, Page 1, In the title, Line 4, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting immediately before the figure "144.034," the figure "144.025,"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the figure "144.014," the figure "144.025,"; and

Further amend said bill, Page 8, Section 144.014, Line 33, by inserting after all of said line the following:

"144.025. 1. Notwithstanding any other provisions of law to the contrary, in any retail sale other than retail sales governed by subsection [3] 4 of this section, where any article on which sales or use tax due, if any, was paid, credited, satisfied or waived is taken in trade as a credit or part payment on the purchase price of the article being sold, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the actual allowance made for the article traded in or exchanged, if there is a bill of sale or other record showing the actual allowance made for the article traded in or exchanged. Where the purchaser of a motor vehicle, trailer, boat or outboard motor receives a rebate from the seller or manufacturer, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the amount of the rebate, if there is a bill of sale or other record showing the actual rebate given by the seller or manufacturer. Where the trade-in or exchange allowance plus any applicable rebate exceeds the purchase price of the purchased article there shall be no sales or use tax owed. This section shall also apply to motor vehicles, trailers, boats, and outboard motors sold by the owner or

holder of a properly assigned certificate of ownership if the seller purchases or contracts to purchase a [replacement] subsequent motor vehicle, trailer, boat, or outboard motor within ninety days before or after the date of the sale of the original article and a notarized bill of sale showing the paid sale price is presented to the department of revenue at the time of licensing. A copy of the bill of sale shall be left with the licensing office. Where the [new replacement] subsequent motor vehicle, trailer, boat, or outboard motor is titled more than ninety days after the sale of the original motor vehicle, trailer, boat, or outboard motor, the allowance pursuant to this section shall be made if the person titling such article establishes that the purchase or contract to purchase was finalized prior to the expiration of the ninety-day period.

2. As used in this section, the term "boat" includes all motorboats and vessels, as the terms "motorboat" and "vessel" are defined in section 306.010, RSMo.

3. As used in this section, the term "motor vehicle" includes motor vehicles as defined in section 301.010, RSMo, recreational vehicles as defined in section 700.010, RSMo, or a combination of a truck as defined in section 301.010, RSMo, and a trailer as defined in section 301.010, RSMo.

[3.] 4. The provisions of subsection 1 of this section shall not apply to retail sales of manufactured homes in which the purchaser receives a document known as the "Manufacturer's Statement of Origin" for purposes of obtaining a title to the manufactured home from the department of revenue of this state or from the appropriate agency or officer of any other state.".

On motion of Representative O'Connor, House Amendment No. 5 was adopted.

Representative Thomason (163) offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 936, Page 1, In the Title, Line 2, by deleting the word and number "and 144.655" and inserting in lieu thereof the following: ", 144.655 and 260.285"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word and number "and 144.655" and inserting in lieu thereof the following: ", 144.655 and 260.285"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after the number "144.655" the following: ", 260.285"; and

Further amend said bill, Page 19, Section 144.655, Line 48, by inserting after all of said line the following:

"260.285. 1. Any manufacturer engaged in this state in production of a meat or poultry food product intended for human consumption that is recycling flexible cellulose casing manufactured from cotton linters used and consumed directly in the production of such food product shall be eligible for a credit as defined in subsection 2 of this section.

2. The credit authorized in subsection 1 shall be equal to the amount of state sales or use taxes paid by a manufacturer to a retailer on such packaging material which is subsequently recycled by either the manufacturer or other person or entity to which the manufacturer conveys such packaging materials, less any consideration received by the manufacturer for such conveyance.

3. A manufacturer shall claim the refund in the month following the month in which the material has been recycled or conveyed for recycling. When claiming a credit [under] pursuant to this section, a manufacturer shall provide a detailed accounting of the amount of packaging material recycled, amount of sales or use tax paid on such material, an affidavit attesting that the manufacturer is eligible [under] pursuant to the provisions of this section for the credit being claimed and any other documentation determined necessary by the director of the department of revenue. The director shall refund any valid credit claims within sixty days of receipt. If the director determines that a fraudulent claim for the credit has been filed, the director may assess a penalty in an amount not to exceed twice the amount of fraudulent credits claimed.

4. Payment of credits authorized by this section shall not alter the liability of a retailer regarding sales tax on such material. Credits authorized by this section shall be paid from funds appropriated for the refund of taxes.

5. This section shall become effective October 1, 1991. [This section shall expire October 1, 2001.]".

On motion of Representative Thomason (163), House Amendment No. 6 was adopted.

Representative Gunn offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 936, Page 19, Section 1, Line 14, by inserting after said line the following:

"Section 2. Notwithstanding other provisions of law to the contrary, beginning on September 1, 1998, and terminating on August 31, 1999, there shall be no tax levied and imposed pursuant to sections 144.010 to 144.525, RSMo, or sections 144.600 to 144.746, RSMo, and there shall be no computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, RSMo, or sections 144.600 to 144.746, RSMo, on purchases of all clothing, including footwear but excluding jewelry, which is intended to be worn on a person if any such article of clothing purchased has a retail value of less than five hundred dollars. Clothing includes cloth or material made of natural or synthetic fibers which is worn on a person as clothing. The provisions of this section shall not apply to the local sales tax law, as defined in section 32.085, RSMo, or to section 67.665 to 67.667, RSMo, sections 67.671 to 67.685, RSMo, sections 67.1000 to 67.1012, RSMo, sections 92.325 to 92.340, RSMo, section 94.660, RSMo, sections 94.800 to 94.825, RSMo, section 94.830, RSMo, sections 94.850 to 94.857, RSMo, sections 94.870 to 94.881, RSMo, section 94.890, RSMo, sections 190.335 to 190.337, RSMo, section 238.235, RSMo, section 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, or section 644.032, RSMo, or to the computation of the tax levied, assessed or payable pursuant to such sections."; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Gunn, House Amendment No. 7 was adopted.

Representative Smith offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 936, Page 2, Section 67.1300, Line 38, by deleting the words "sixteen thousand" and inserting in lieu thereof the words "fifteen thousand nine hundred".

On motion of Representative Smith, House Amendment No. 8 was adopted.

Representative Auer offered House Amendment No. 9.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 936, Page 12, Section 144.030, Line 114, by inserting after the word "oxygen," the following: home respiratory equipment and accessories, hospital beds and accessories and ambulatory aides,".

On motion of Representative Auer, House Amendment No. 9 was adopted.

Representative Griesheimer offered House Amendment No. 10.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 936, Page 16, Section 144.030, Line 280, by inserting after

said line the following:

"(42) Newspapers produced for and sold to an entity which distributes such newspapers to the general public at no charge."

On motion of Representative Griesheimer, House Amendment No. 10 was adopted.

Representative Kreider offered House Amendment No. 11.

Representative Bray raised a point of order that House Amendment No. 11 goes beyond the scope of the bill.

The Chair ruled the point of order will taken.

Representative Van Zandt offered House Amendment No. 11.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 936, Page 8, Section 144.014, Line 33 by inserting after said line the following:

"144.025. 1. Notwithstanding any other provisions of law to the contrary, in any retail sale other than retail sales governed by subsection [3] 4 of this section, where any article on which sales or use tax due, if any, was paid, credited, satisfied or waived is taken in trade as a credit or part payment on the purchase price of the article being sold, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the actual allowance made for the article traded in or exchanged, if there is a bill of sale or other record showing the actual allowance made for the article traded in or exchanged. For the purpose of determining sales or use tax liability, a purchaser of a motor vehicle, trailer, boat or outboard motor shall not be allowed to deduct from the purchase price of the motor vehicle, trailer, boat or outboard motor the actual allowance of any article other than a motor vehicle, trailer, boat or outboard motor traded or exchanged as a credit or partial payment for such item. The department of revenue shall assume all sales and use tax due, if any, have been properly paid, credited, satisfied or waived, including the sales or use tax due, if any, on motor vehicles, trailers, boats or outboard motors which have a valid certificate of ownership from any state, unless the department has good reason to believe otherwise. Where the purchaser of a motor vehicle, trailer, boat or outboard motor receives a rebate from the seller or manufacturer, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the amount of the rebate, if there is a bill of sale or other record showing the actual rebate given by the seller or manufacturer. Where the trade-in or exchange allowance plus any applicable rebate exceeds the purchase price of the purchased article there shall be no sales or use tax owed. This section shall also apply to motor vehicles, trailers, boats, and outboard motors sold by the owner or holder of a properly assigned certificate of ownership if the seller purchases or contracts to purchase a [replacement] subsequent motor vehicle, trailer, boat, or outboard motor within ninety days before or after the date of the sale of the original article and a notarized bill of sale showing the paid sale price is presented to the department of revenue at the time of licensing. A copy of the bill of sale shall be left with the licensing office. Where the [new replacement] subsequent motor vehicle, trailer, boat, or outboard motor is titled more than ninety days after the sale of the original motor vehicle, trailer, boat, or outboard motor, the allowance pursuant to this section shall be made if the person titling such article establishes that the purchase or contract to purchase was finalized prior to the expiration of the ninety-day period.

2. As used in this section, the term "boat" includes all motorboats and vessels, as the terms "motorboat" and "vessel" are defined in section 306.010, RSMo.

3. As used in this section, the term "motor vehicle" includes motor vehicles as defined in section 301.010, RSMo, recreational vehicles as defined in section 700.010, RSMo, or a combination of a truck as defined in section 301.010, RSMo, and a trailer as defined in section 301.010, RSMo.

[3.] 4. The provisions of subsection 1 of this section shall not apply to retail sales of manufactured homes in which the purchaser receives a document known as the "Manufacturer's Statement of Origin" for purposes of obtaining a title to the manufactured home from the department of revenue of this state or from the appropriate agency or officer of any other state."; and

Further amend the title and enacting clause accordingly.

Representative Scott offered House Substitute Amendment No. 1 for House Amendment No. 11.

House Substitute Amendment No. 1

for

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 936, Page 8, Line 33, by inserting immediately after said line the following:

"144.025. 1. Notwithstanding any other provisions of law to the contrary, in any retail sale other than retail sales governed by subsection 3 of this section, where any article is taken in trade as a credit or part payment on the purchase price of the article being sold, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the actual allowance made for the article traded in or exchanged, if there is a bill of sale or other record showing the actual allowance made for the article traded in or exchanged. Where the purchaser of a motor vehicle, trailer, boat or outboard motor receives a rebate from the seller or manufacturer, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the amount of the rebate, if there is a bill of sale or other record showing the actual rebate given by the seller or manufacturer. Where the trade-in or exchange allowance plus any applicable rebate exceeds the purchase price of the purchased article there shall be no sales or use tax owed. This section shall also apply to motor vehicles, trailers, boats, and outboard motors sold by the owner if the seller purchases or contracts to purchase a replacement motor vehicle, trailer, boat, or outboard motor within [ninety] one hundred eighty days before or after the date of the sale of the original article and a notarized bill of sale showing the paid sale price is presented to the department of revenue at the time of licensing. A copy of the bill of sale shall be left with the licensing office. Where the new replacement motor vehicle, trailer, boat, or outboard motor is titled more than [ninety] one hundred eighty days after the sale of the original motor vehicle, trailer, boat, or outboard motor, the allowance pursuant to this section shall be made if the person titling such article establishes that the purchase or contract to purchase was finalized prior to the expiration of the [ninety-day] one hundred eighty-day period.

2. As used in this section, the term "boat" includes all motorboats and vessels, as the terms "motorboat" and "vessel" are defined in section 306.010, RSMo.

3. As used in this section, the term "motor vehicle" includes motor vehicles as defined in section 301.010, RSMo, recreational vehicles as defined in section 700.010, RSMo, or a combination of a truck as defined in section 301.010, RSMo, and a trailer as defined in section 301.010, RSMo.

4. The provisions of subsection 1 of this section shall not apply to retail sales of manufactured homes in which the purchaser receives a document known as the "Manufacturer's Statement of Origin" for purposes of obtaining a title to the manufactured home from the department of revenue of this state or from the appropriate agency or officer of any other state."; and

144.027. 1. When a motor vehicle, trailer, boat or outboard motor for which all sales or use tax has been paid is replaced due to theft or a casualty loss in excess of the value of the unit, the director shall permit the amount of the insurance proceeds plus any owner's deductible obligation, as certified by the insurance company, to be a credit against the purchase price of another motor vehicle, trailer, boat or outboard motor which is purchased or is contracted to purchase within [ninety] one hundred eighty days of the date of payment by the insurance company as a replacement motor vehicle, trailer, boat or outboard motor. As used in this section, the term "boat" includes all motorboats and vessels, as the terms "motorboat" and "vessel" are defined in section 306.010, RSMo.

2. If the owner of a motor vehicle, trailer, boat or outboard motor as described in subsection 1 of this section does not have insurance coverage for the motor vehicle, trailer, boat or outboard motor, the director shall permit the fair market value of the motor vehicle, trailer, boat or outboard motor as determined by the Kelly Blue Book, NADA Used Car Guide, Abos Blue Book or the average of two appraisals from licensed motor vehicle or boat dealers to be a credit against the purchase price of a replacement motor vehicle, trailer, boat or outboard motor which is purchased or is contracted to purchase within [ninety] one hundred eighty days of the date of such loss as certified by a law enforcement agency or such other evidence as the director may require as proof of the date of loss of the motor vehicle, trailer, boat or outboard motor.

And amend the title and enacting clause accordingly.

On motion of Representative Scott, House Substitute Amendment No. 1 for House Amendment No. 11 was adopted.

Representative Hosmer offered House Amendment No. 12.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 936, Page 1, In the Title, Line 3, by deleting the word and number "and 144.030"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting all of said line and inserting in lieu thereof the following: "144.010, 144.015, 144.030 and 321.242, RSMo Supp. 1997, are repealed and nine new sections enacted"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after the number "144.655" the following: ", 321.242"; and

Further amend said bill, page 19, Section 144.655, Line 48, by inserting after all of said line the following:

"321.242. 1. The governing body of any fire protection district [which operates within and has boundaries identical to a city with a population of at least thirty thousand but not more than thirty-five thousand inhabitants which is located in a county of the first classification, excluding a county of the first classification having a population in excess of nine hundred thousand,] or the governing body of any municipality having a municipal fire department may impose a sales tax in an amount of up to one-fourth of one percent on all retail sales made in such fire protection district or municipality which are subject to taxation [under] pursuant to the provisions of sections 144.010 to 144.525, RSMo. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed [under] pursuant to the provisions of this section shall be effective unless the governing body of the fire protection district or municipality submits to the voters of [the] such fire protection district or municipality, at a county or state general, primary or special election, a proposal to authorize the governing body of the fire protection district or municipality to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall [the fire protection district of] ..... [(district's name)] (insert name of district or municipality) impose a [district-wide] sales tax of ..... (insert rate of tax) for the purpose of providing revenues for the operation of the ..... (insert fire protection district or municipal fire department)?

[ ] Yes [ ] No

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the fire protection district or municipality shall not impose the sales tax authorized in this section unless and until the governing body of [the] such fire protection district or municipality resubmits a proposal to authorize the governing body of the fire protection district or municipality to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by a fire protection district or municipality from the tax authorized [under] pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for the operation of the fire protection district or the municipal fire department.

4. All sales taxes collected by the director of revenue [under] pursuant to this section on behalf of any fire protection district or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Fire Protection [District] Sales Tax Trust Fund". Any moneys in the fire protection district sales tax trust fund created prior to the effective date of this section shall be transferred to the fire protection sales tax trust fund. The moneys in the fire protection [district] sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and [which was] of the amounts which were collected in each fire protection district or municipality imposing a sales tax [under] pursuant to this section, and the records shall be open to the inspection of officers of the fire protection district or municipality and the public. Not later than the tenth day of each month, the director of

revenue shall distribute all moneys deposited in the trust fund during the preceding month to the fire protection district or municipality which levied the tax. Such funds shall be deposited with the treasurer of each such fire protection district or municipality, and all expenditures of funds arising from the fire protection [district] sales tax trust fund shall be for the operation of the fire protection district or the municipal fire department and for no other purpose.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any fire protection district or municipality for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such fire protection districts or municipalities. If any fire protection district or municipality abolishes the tax, the fire protection district or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such fire protection district or municipality, the director of revenue shall remit the balance in the account to the fire protection district or municipality and close the account of that fire protection district or municipality. The director of revenue shall notify each fire protection district or municipality of each instance of any amount refunded or any check redeemed from receipts due the fire protection district or municipality. In the event a tax within a fire protection district is approved [under] pursuant to this section, and such fire protection district is dissolved, since the boundaries of the fire protection district are identical to that of the city, the tax shall continue and proceeds shall be distributed to the governing body of the city formerly containing the fire protection district and the proceeds of the tax shall be used for fire protection services within such city.

6. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed [under] pursuant to this section.".

On motion of Representative Hosmer, House Amendment No. 12 was adopted.

Representative Elliott offered House Amendment No. 13.

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 936, Page 16, Section 144.030, Line 280, by deleting the period "." at the end of said line and inserting in lieu thereof the following: ";

(42) All sales of computers and computer-related equipment purchased for use by businesses who transport new class 6, 7 and 8 commercial vehicles.".

On motion of Representative Elliott, House Amendment No. 13 was adopted.

Representative Kauffman offered House Amendment No. 14.

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 936, Page 15, Section 144.030, Lines 241 & 242, by inserting after the word "mandate" the following: "."; and

further amend said bill, Page 15, Section 144.030, Line 242, by deleting the following "or technological change".

On motion of Representative Kauffman, House Amendment No. 14 was adopted.

Representative Ransdall offered House Amendment No. 15.

House Amendment No. 15

AMEND House Committee Substitute for Senate Bill No. 936, Page 15, Section 144.030.2.(33), Line 227, by inserting immediately after the word "crops," the following: "aquaculture,".

On motion of Representative Ransdall, House Amendment No. 15 was adopted.

Representative Hendrickson offered House Amendment No. 16.

House Amendment No. 16

AMEND House Committee Substitute for Senate Bill No. 936, Page 16, Section 144.030, Line 255, by inserting after said line the following:

"(39) All sales of coffins, caskets, burial cases and burial vaults; and renumbering all the following sections".

On motion of Representative Hendrickson, House Amendment No. 16 was adopted.

Representative Naeger offered House Amendment No. 17.

House Amendment No. 17

AMEND House Committee Substitute for Senate Bill No. 936, Page 12, Section 144.030, Line 119, by inserting after the word disabilities; other durable medical equipment (DME) that is purchased as a result of a physicians order.

On motion of Representative Naeger, House Amendment No. 17 was adopted.

Representative Levin offered House Amendment No. 18.

House Amendment No. 18

AMEND House Committee Substitute for Senate Bill No. 936, Page 12, Section 144.030, Line 119, by inserting after the word "disabilities" the words "or over-the-counter or non-prescription drugs".

On motion of Representative Levin, House Amendment No. 18 was adopted.

Representative Shields offered House Amendment No. 19.

House Amendment No. 19

AMEND House Committee Substitute for Senate Bill No. 936, Page 19, Section 1, Line 14, by inserting after all of said line the following:

"Section 2. In addition to the exemptions granted under the provisions of section 144.030, there shall also be specifically exempted from the provisions of the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745, and from the computation of the tax levied, assessed or payable under the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745, purchases of any item of tangible personal property which is, within one year of such purchase, donated without charge to the state of Missouri. The exemption prescribed in this section includes purchases of all items of tangible personal property converted into an item donated as a gift to the state of Missouri."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Shields, House Amendment No. 19 was adopted.

Representative Levin offered House Amendment No. 20.

House Amendment No. 20

AMEND House Committee Substitute for Senate Bill No. 936, Page 19, Section 1, line 14, by inserting after said line the following:

"Section 2. No state or local sales and use taxes shall be levied on the transfer of a motor vehicle between persons related within the first degree of consanguinity or affinity."; and

Further amend the title and enacting clause accordingly.

Representative Levin moved that House Amendment No. 20 be adopted.

Which motion was defeated.

Representative Marble offered House Amendment No. 21.

House Amendment No. 21

AMEND House Committee Substitute for Senate Bill No. 936, Page 13, Section 144.014, Line 152, by inserting after the word "tractors" the following: ", mechanized post hole diggers,".

On motion of Representative Marble, House Amendment No. 21 was adopted.

On motion of Representative Bray, HCS SB 936, as amended, was adopted.

On motion of Representative Bray, HCS SB 936, as amended, was read the third time and passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford Liese Nordwald Shear Sheldon 104

Thomason 163 Wannenmacher

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Parker moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

HCS SB 619, relating to motor fuel tax, was taken up by Representative Stoll.

Representative Stoll offered HS HCS SB 619.

Representative Marble offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 619, Page 1, In the Title, Line 19 of said page, by deleting the word and number "and 414.415" and inserting in lieu thereof the following: ", 414.415 and 643.310"; and

Further amend said bill, Page 1, In the Title, Line 21 of said page, by deleting the word "sixty-four" and inserting in lieu thereof the word "sixty-five"; and

Further amend said bill, Page 2, Section A, Line 12 of said page, by deleting the word and number "and 414.415" and inserting in lieu thereof the following: ", 414.415 and 643.310"; and

Further amend said bill, Page 2, Section A, Line 13 of said page, by deleting the word "sixty-four" and inserting in lieu thereof the word "sixty-five"; and

Further amend said bill, Page 3, Section A, Line 1 of said page, by deleting the word "and"; and

Further amend said bill, Page 3, Section A, Line 2 of said page, by deleting the number "414.415" and inserting in lieu thereof the following: ", 414.415 and 643.310"; and

Further amend said bill, Page 126, Section 414.415, Line 21 of said page, by inserting after all of said line the following:

"643.310. 1. The commission may, by rule, establish a motor vehicle emissions inspection program under sections 643.300 to 643.355 for any portion of a nonattainment area located within the area described in subsection 1 of section 643.305, except for any portion of the nonattainment area which is located in a county of the first classification without a charter form of government with a population of less than one hundred thousand inhabitants according to the most recent decennial census, if the commission determines that such motor vehicle emissions inspection program is necessary in that area to comply with the requirements of subsection 1 of section 643.305[, except that no motor vehicle emission inspection program shall be established under this section in any area for which the sale or dispensing of conventional gasoline for use in motor vehicles is prohibited under the federal Clean Air Act, as amended, 42 U.S.C. 7545]. The commission shall ensure that, for each nonattainment area, the state implementation plan established under subsection 1 of section 643.305 incorporates and receives all applicable credits allowed by the United States Environmental Protection Agency for emission reduction programs in other nonattainment areas of like designation in other states. The commission shall ensure that emission reduction amounts established under subsection 2 of section 643.305 shall be consistent with and not exceed the emissions reduction amounts required by the United States Environmental Protection Agency for other nonattainment areas of like designation in other states. No motor vehicle emissions inspection program shall be required to comply with subsection 1 of section 643.305 unless the plan established thereunder takes full advantage of any changes in requirements or any agreements made or entered into by the United States Environmental Protection Agency and any entity or entities on behalf of a nonattainment area concerning compliance with National Ambient Air Quality Standards of the federal Clean Air Act, as amended, 42 U.S.C. 7401 et seq., and the regulations promulgated thereunder. The air conservation commission shall request and it shall be the duty of the attorney general to bring, in a court of competent jurisdiction, an action challenging the authority of the United States Environmental Protection Agency to impose sanctions for failure to attain National Ambient Air Quality Standards and failure to provide for required emission reductions under the federal Clean Air Act, as amended, 42 U.S.C. 7401, et seq. The action shall seek to define the required emission reductions and the credits allowed for current and planned emission reductions measures. The air conservation commission shall request and it shall be the duty of the attorney general to bring an action to obtain injunctive relief to enjoin and restrain the imposition of sanctions on the state of Missouri under the federal Clean Air Act, as amended, 42 U.S.C. 7401, et seq., until all actions initiated under this section have been decided. Provisions of section 307.366, RSMo, to the contrary notwithstanding, the requirements of sections 643.300 to 643.355 shall apply to those areas designated by the commission under this section in lieu of the provisions of section 307.366, RSMo.

2. The department shall contract with one or more persons to provide any motor vehicle emissions inspection program established under sections 643.300 to 643.355.

3. The department may purchase the motor vehicle emissions inspection facilities pursuant to appropriations specifically provided for that purpose. The department may lease, sublease or license the facilities to the contractor or contractors for the purpose of fulfilling the obligations of the contract for the motor vehicle emissions inspection program.

4. The inspection program shall satisfy the following criteria:

(1) There shall be an adequate number of stations to ensure that no more than twenty percent of all persons residing in an affected nonattainment area reside farther than five miles from the nearest inspection station,

and consideration shall be given to employment, locations and commuting patterns when selecting the locations of the stations;

(2) There shall be an adequate number of inspection lanes at each facility so that no more than five percent of all persons having an inspection are required to wait more than fifteen minutes before the inspection begins;

(3) The days and daily hours of operation shall include at least those hours specified by the department, which shall include, at a minimum, twelve continuous hours of operation on all weekdays excepting federal holidays, and six continuous hours of operation on all Saturdays excepting federal holidays;

(4) The emissions inspection program shall include a simulated on-road emissions inspection component, including pressure and purge tests, which satisfies the requirements established by regulation of the United States Environmental Protection Agency and may include a visual inspection component;

(5) The inspection stations shall be test-only stations and shall not offer motor vehicle emissions repairs, parts or services of any kind;

(6) No person operating or employed by an emissions inspection station shall repair or maintain motor vehicle emission systems or pollution control devices for compensation of any kind.

5. The commission, the department of economic development and the office of administration shall, in cooperation with the minority business advocacy commission, select the contractor or contractors to provide an inspection program which satisfies the minimum requirements of this section in accordance with the requirements of section 33.752, RSMo, and chapter 34, RSMo. The commission, the office of administration and the department of economic development, in cooperation with the minority business advocacy commission shall ensure adequate minority business participation in the selection of the contractor or contractors to provide an inspection program under this section. The commission, the office of administration and the department of economic development shall ensure adequate participation of Missouri businesses in the selection of the contractor or contractors to provide an inspection program under this section.

6. With approval of the commission and under rules adopted by the commission, an organization whose members are motor vehicle dealers or leasing companies may establish one or more additional emissions inspection facilities, which may be either mobile or stationary, to be used solely to inspect motor vehicles owned and held for sale or lease by the members of the organization. With approval of the commission and under rules adopted by the commission, any person operating a fleet of five hundred or more motor vehicles may establish one or more additional emissions inspection facilities, which may be either mobile or stationary, to be used solely to inspect motor vehicles owned or leased and operated by the person establishing the facility. The inspections performed in facilities established under this subsection shall be performed by a contractor selected by the commission under this section and the contractor performing such inspections shall be responsible solely to the department and shall satisfy all applicable requirements of sections 643.300 to 643.355.

7. Any person who owns Missouri analyzer system emission inspection equipment as defined by rule, used to provide emissions inspections under section 307.366, RSMo, at a facility located in an area in which an emissions inspection program has been established under sections 643.300 to 643.355 may, within twelve months of the implementation of an emissions inspection program under sections 643.300 to 643.355, sell such equipment, to the department of natural resources at current market value as established by an independent appraisal provided that the equipment is fully functional and has been maintained according to all applicable manufacturer's specifications and procedures. The department shall purchase such equipment using funds appropriated for that purpose from the Missouri air emission reduction fund. Any person who, prior to January 1, 1992, contracted to lease or lease purchase, or purchased by borrowing a portion of the funds secured by a chattel mortgage, Missouri Analyzer System emission inspection equipment used to provide emissions inspections under section 307.366, RSMo, at a facility located in an area in which an emissions inspection program has been established under sections 643.300 to 643.355, and has made all payments required under the contract, may, within twelve months of the implementation of an emissions inspection program under sections 643.300 to 643.355, request the department of natural resources to take possession of such equipment and assume all payment obligations owed on such equipment which obligations are not in excess of one hundred and twenty-five percent of the current market value as established by an independent appraisal, provided that the equipment is fully functional and has been maintained according to all applicable manufacturer's specifications and procedures. The department shall take possession of such equipment and pay such obligations using funds appropriated for that purpose from the Missouri air emission reduction fund.".

Representative Edwards-Pavia offered House Substitute Amendment No. 1 for House Amendment No 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 619, Page 1, In the Title, Line 19 of said page, by deleting the word and number "and 414.415" and inserting in lieu thereof the following: ", 414.415 and 643.310"; and

Further amend said bill, Page 1, In the Title, Line 21 of said page, by deleting the word "sixty-four" and inserting in lieu thereof the word "sixty-five"; and

Further amend said bill, Page 2, Section A, Line 12 of said page, by deleting the word and number "and 414.415" and inserting in lieu thereof the following: ", 414.415 and 643.310"; and

Further amend said bill, Page 2, Section A, Line 13 of said page, by deleting the word "sixty-four" and inserting in lieu thereof the word "sixty-five"; and

Further amend said bill, Page 3, Section A, Line 1 of said page, by deleting the word "and"; and

Further amend said bill, Page 3, Section A, Line 2 of said page, by deleting the number "414.415" and inserting in lieu thereof the following: ", 414.415 and 643.310"; and

Further amend said bill, Page 126, Section 414.415, Line 21 of said page, by inserting after all of said line the following:

"643.310. 1. The commission may, by rule, establish a motor vehicle emissions inspection program under sections 643.300 to 643.355 for any portion of a nonattainment area located within the area described in subsection 1 of section 643.305, except for any portion of the nonattainment area which is located in a county of the first classification without a charter form of government with a population of less than one hundred thousand inhabitants according to the most recent decennial census, if the commission determines that such motor vehicle emissions inspection program is necessary in that area to comply with the requirements of subsection 1 of section 643.305[, except that no motor vehicle emission inspection program shall be established under this section in any area for which the sale or dispensing of conventional gasoline for use in motor vehicles is prohibited under the federal Clean Air Act, as amended, 42 U.S.C. 7545]. The commission shall ensure that, for each nonattainment area, the state implementation plan established under subsection 1 of section 643.305 incorporates and receives all applicable credits allowed by the United States Environmental Protection Agency for emission reduction programs in other nonattainment areas of like designation in other states. The commission shall ensure that emission reduction amounts established under subsection 2 of section 643.305 shall be consistent with and not exceed the emissions reduction amounts required by the United States Environmental Protection Agency for other nonattainment areas of like designation in other states. No motor vehicle emissions inspection program shall be required to comply with subsection 1 of section 643.305 unless the plan established thereunder takes full advantage of any changes in requirements or any agreements made or entered into by the United States Environmental Protection Agency and any entity or entities on behalf of a nonattainment area concerning compliance with National Ambient Air Quality Standards of the federal Clean Air Act, as amended, 42 U.S.C. 7401 et seq., and the regulations promulgated thereunder. The air conservation commission shall request and it shall be the duty of the attorney general to bring, in a court of competent jurisdiction, an action challenging the authority of the United States Environmental Protection Agency to impose sanctions for failure to attain National Ambient Air Quality Standards and failure to provide for required emission reductions under the federal Clean Air Act, as amended, 42 U.S.C. 7401, et seq. The action shall seek to define the required emission reductions and the credits allowed for current and planned emission reductions measures. The air conservation commission shall request and it shall be the duty of the attorney general to bring an action to obtain injunctive relief to enjoin and restrain the imposition of sanctions on the state of Missouri under the federal Clean Air Act, as amended, 42 U.S.C. 7401, et seq., until all actions initiated under this section have been decided. Provisions of section 307.366, RSMo, to the contrary notwithstanding, the requirements of sections 643.300 to 643.355 shall apply to those areas designated by the commission under this section in lieu of the provisions of section 307.366, RSMo.

2. The department shall contract with one or more persons to provide any motor vehicle emissions inspection program established under sections 643.300 to 643.355.

3. The department may purchase the motor vehicle emissions inspection facilities pursuant to appropriations specifically provided for that purpose. The department may lease, sublease or license the facilities to the contractor or contractors for the purpose of fulfilling the obligations of the contract for the motor vehicle emissions inspection program.

4. The inspection program shall satisfy the following criteria:

(1) There shall be an adequate number of stations to ensure that no more than twenty percent of all persons residing in an affected nonattainment area reside farther than five miles from the nearest inspection station,

and consideration shall be given to employment, locations and commuting patterns when selecting the locations of the stations;

(2) There shall be an adequate number of inspection lanes at each facility so that no more than five percent of all persons having an inspection are required to wait more than fifteen minutes before the inspection begins;

(3) The days and daily hours of operation shall include at least those hours specified by the department, which shall include, at a minimum, twelve continuous hours of operation on all weekdays excepting federal holidays, and six continuous hours of operation on all Saturdays excepting federal holidays;

(4) The emissions inspection program shall include a simulated on-road emissions inspection component, including pressure and purge tests, which satisfies the requirements established by regulation of the United States Environmental Protection Agency and may include a visual inspection component;

(5) The inspection stations shall be test-only stations and shall not offer motor vehicle emissions repairs, parts or services of any kind;

(6) No person operating or employed by an emissions inspection station shall repair or maintain motor vehicle emission systems or pollution control devices for compensation of any kind.

5. The commission, the department of economic development and the office of administration shall, in cooperation with the minority business advocacy commission, select the contractor or contractors to provide an inspection program which satisfies the minimum requirements of this section in accordance with the requirements of section 33.752, RSMo, and chapter 34, RSMo. The commission, the office of administration and the department of economic development, in cooperation with the minority business advocacy commission shall ensure adequate minority business participation in the selection of the contractor or contractors to provide an inspection program under this section. The commission, the office of administration and the department of economic development shall ensure adequate participation of Missouri businesses in the selection of the contractor or contractors to provide an inspection program under this section.

6. With approval of the commission and under rules adopted by the commission, an organization whose members are motor vehicle dealers or leasing companies may establish one or more additional emissions inspection facilities, which may be either mobile or stationary, to be used solely to inspect motor vehicles owned and held for sale or lease by the members of the organization. With approval of the commission and under rules adopted by the commission, any person operating a fleet of five hundred or more motor vehicles may establish one or more additional emissions inspection facilities, which may be either mobile or stationary, to be used solely to inspect motor vehicles owned or leased and operated by the person establishing the facility. The inspections performed in facilities established under this subsection shall be performed by a contractor selected by the commission under this section and the contractor performing such inspections shall be responsible solely to the department and shall satisfy all applicable requirements of sections 643.300 to 643.355.

7. Any person who owns Missouri analyzer system emission inspection equipment as defined by rule, used to provide emissions inspections under section 307.366, RSMo, at a facility located in an area in which an emissions inspection program has been established under sections 643.300 to 643.355 may, within twelve months of the implementation of an emissions inspection program under sections 643.300 to 643.355, sell such equipment, to the department of natural resources at current market value as established by an independent appraisal provided that the equipment is fully functional and has been maintained according to all applicable manufacturer's specifications and procedures. The department shall purchase such equipment using funds appropriated for that purpose from the Missouri air emission reduction fund. Any person who, prior to January 1, 1992, contracted to lease or lease purchase, or purchased by borrowing a portion of the funds secured by a chattel mortgage, Missouri Analyzer System emission inspection equipment used to provide emissions inspections under section 307.366, RSMo, at a facility located in an area in which an emissions inspection program has been established under sections 643.300 to 643.355, and has made all payments required under the contract, may, within twelve months of the implementation of an emissions inspection program under sections 643.300 to 643.355, request the department of natural resources to take possession of such equipment and assume all payment obligations owed on such equipment which obligations are not in excess of one hundred and twenty-five percent of the current market value as established by an independent appraisal, provided that the equipment is fully functional and has been maintained according to all applicable manufacturer's specifications and procedures. The department shall take possession of such equipment and pay such obligations using funds appropriated for that purpose from the Missouri air emission reduction fund.

8. If the governor applies to the administrator of the Environmental Protection Agency to require federal reformulated gasoline in nonattainment areas, nothing in sections 643.300 to 643.355 shall prevent the storage of conventional gasoline in nonattainment areas which is intended for sale to agricultural, commercial or retail customers outside said nonattainment areas subject to reformulated gasoline.

9. The governor, the department of natural resources, and the commission shall work to ensure an orderly transition period in the nonattainment area for the introduction of reformulated gasoline. Priority shall be given to ensure the petroleum refiners ample time to organize, structure, and implement both the production and the delivery of reformulated gasoline to the nonattainment area, so that consumers will see an orderly, seamless market substitution.".

On motion of Representative Edwards-Pavia, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted by the following vote:

AYES: 138

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Farnen Fitzwater

Foley Foster Franklin Fritts Gaskill

Gaston Graham 106 Graham 24 Gratz Green

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Klindt

Koller Kreider Lakin Leake Legan

Levin Lograsso Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Robirds Ross

Sallee Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Smith Steen

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 015

Akin Ballard Evans Gibbons Griesheimer

Kissell Lawson Linton Loudon Luetkenhaus

Patek Rizzo Skaggs Stokan Treadway

PRESENT: 000

ABSENT WITH LEAVE: 009

Crump Ford Froelker Liese Long

Nordwald Scheve Shear Sheldon 104

VACANCIES: 001

Representative Fitzwater offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 619, Page 126, Section 414.415, Line 21 of said page, by inserting immediately after all of said line the following:

"Section 1. The air conservation commission may establish, by rule, a state reformulated gasoline program to prohibit the sale or dispensing of conventional gasoline for use in motor vehicles. If established, such program shall be implemented and dispensing reformulated gasoline at the retail level in the nonattainment area described in section 643.305, RSMo, by June 1, 1999, and shall be at least as effective in improving air quality as the federal reformulated gasoline program, 42 U.S.C. 7545. Any reformulated gasoline program established pursuant to this section shall not exclude the use of ethanol at any time during the year." ; and

Further amend said bill in the title and enacting clause accordingly.

Representative Wiggins offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1

for

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 619, Page 126, Section 414.415, Line 21 of said page, by inserting immediately after all of said line the following:

"Section 1. The air conservation commission may establish, by rule, a state reformulated gasoline program to prohibit the sale or dispensing of conventional gasoline for use in motor vehicles. If established, such program shall be implemented and dispensing reformulated gasoline at the retail level in the nonattainment area described in section 643.305, RSMo, by June 1, 1999, and shall be at least as effective in improving air quality as the federal reformulated gasoline program, 42 U.S.C. 7545. Any reformulated gasoline program established pursuant to this section shall not preclude the use of ethanol." ; and

Further amend said bill in the title and enacting clause accordingly.

On motion of Representative Wiggins, House Substitute Amendment No. 1 for House Amendment No. 2 was adopted.

Representative McBride offered House Amendment No. 3.

House Amendment No. 3 was withdrawn.

Representative Thomason (163) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 619, Page 1, In the Title, Line 18, by deleting the figure "155.080" and inserting in lieu thereof the following: "155.010, 155.080, 305.230"; and

Further amend said bill, Page 1, In the Title, Line 19, by deleting the word "section" and inserting in lieu thereof the following: "sections 144.805 and"; and

Further amend said bill, Page 1, In the Title, Line 20, by inserting immediately before the word "relating" the following: "and section 17 as enacted by conference committee substitute for house committee substitute for senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly,"; and

Further amend said bill, Page 1, In the Title, Line 21, by deleting the word "sixty-four" and inserting in lieu thereof the word "sixty-seven"; and

Further amend said bill, Page 1, In the Title, Line 24, by inserting immediately after the word "date" the words "and an expiration date for certain sections"; and

Further amend said bill, Page 2, Section A, Line 11, by deleting the figure "155.080" and inserting in lieu thereof the following: "155.010, 155.080, 305.230"; and

Further amend said bill, Page 2, Section A, Line 12, by deleting the word "section" and inserting in lieu thereof the following: "sections 144.805 and"; and

Further amend said bill, Page 2, Section A, Line 13, by inserting immediately before the word "are" the following: "and section 17 as enacted by conference committee substitute for house committee substitute for senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly,"; and

Further amend said bill, Page 2, In the Title, Line 13, by deleting the word "sixty-four" and inserting in lieu thereof the word "sixty-seven"; and

Further amend said bill, Page 3, Section A, Line 1, by deleting the figure "155.080" and inserting in lieu thereof the following: "144.805, 155.010, 155.080, 305.230"; and

Further amend said bill, Page 111, Section 142.953, Line 4, by inserting immediately after all of said line the following:

"144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to 144.748, and section 238.235, RSMo, and the provisions of any local sales tax law, as defined in section 32.085, RSMo, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to 144.748, and section 238.235, RSMo, and the provisions of any local sales tax law, as defined in section 32.085, RSMo, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. Effective September 1, 1998, all sales and use tax revenues upon aviation jet fuel received pursuant to chapter 144, RSMo, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701, for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to

section 305.230, RSMo; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed five million dollars in each calendar year.

5. The provisions of sections 144.805 and 144.807 shall expire on December 31, [2001] 2003."

155.010. As used in this chapter, the following terms mean:

(1) "Aircraft", any contrivance now known, or hereafter invented, used or designed for navigation of, or flight in, the air;

(2) "Airline company", any person, firm, partnership, corporation, trustee, receiver or assignee, and all other persons, whether or not in a representative capacity, undertaking to engage in the carriage of persons or cargo for hire by commercial aircraft pursuant to certificates of convenience and necessity issued by the federal Civil Aeronautics Board, or successor thereof, or any noncertificated air carrier authorized to engage in irregular and infrequent air transportation by the federal Civil Aeronautics Board, or successor thereof;

(3) "Aviation fuel", any fuel specifically compounded for use in reciprocating aircraft engines;

(4) "Commercial aircraft", aircraft fully equipped for flight and of more than [ten] seven thousand pounds maximum certified gross take-off weight."; and

Further amend said bill, Page 112, Section 155.080, Line 16, by inserting immediately after all of said line the following:

"305.230. 1. The state highways and transportation commission shall administer an aeronautics program within this state. The state commission shall encourage, foster and participate with the political subdivisions of this state in the promotion and development of aeronautics. The state commission may provide financial assistance in the form of grants from funds appropriated for such purpose to any political subdivision or instrumentality of this state acting independently or jointly or to the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration for the planning, acquisition, construction, improvement or maintenance of airports, or for other aeronautical purposes.

2. Any political subdivision or instrumentality of this state or the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration receiving state funds for the purchase, construction, or improvement, except maintenance, of an airport shall agree before any funds are paid to it to control by ownership or lease the airport for a period equal to the useful life of the project as determined by the state commission following the last payment of state or federal funds to it. In the event an airport authority ceases to exist for any reason, this obligation shall be carried out by the governing body which created the authority.

3. Unless otherwise provided, grants to political subdivisions, instrumentalities or to the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration shall be made from the aviation trust fund. In making grants, the commission shall consider whether the local community has given financial support to the airport in the past. Priority shall be given to airports with local funding for the past five years with no reduction in such funding. The aviation trust fund is a revolving trust fund exempt from the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue funds of the state by the state treasurer. All interest earned upon the balance in the aviation trust fund shall be deposited to the credit of the same fund.

4. The moneys in the aviation trust fund shall be administered by the state commission and, when appropriated, shall be used for the following purposes:

(1) As matching funds on an up to eighty percent state/twenty percent local basis, except in the case where federal funds are being matched, when the ratio of state and local funds used to match the federal funds shall be fifty percent state/fifty percent local:

(a) For preventive maintenance of runways, taxiways and aircraft parking areas, and for emergency repairs of the same;

(b) For the acquisition of land for the development and improvement of airports;

(c) For the earthwork and drainage necessary for the construction, reconstruction or repair of runways, taxiways, and aircraft parking areas;

(d) For the construction, or restoration of runways, taxiways, or aircraft parking areas;

(e) For the acquisition of land or easements necessary to satisfy Federal Aviation Administration safety requirements;

(f) For the identification, marking or removal of natural or manmade obstructions to airport control zone surfaces and safety areas;

(g) For the installation of runway, taxiway, boundary, ramp, or obstruction lights, together with any work directly related to the electrical equipment;

(h) For the erection of fencing on or around the perimeter of an airport;

(i) For purchase, installation or repair of air navigational and landing aid facilities and communication equipment;

(j) For engineering related to a project funded under the provisions of this section and technical studies or consultation related to aeronautics;

(k) For airport planning projects including master plans and site selection for development of new airports, for updating or establishing master plans and airport layout plans at existing airports;

(l) For the purchase, installation, or repair of safety equipment and such other capital improvements and equipment as may be required for the safe and efficient operation of the airport;

(2) As total funds, with no local match:

(a) For providing air markers, windsocks, and other items determined to be in the interest of the safety of the general flying public;

(b) For the printing and distribution of state aeronautical charts and state airport directories on an annual basis, and a newsletter on a quarterly basis or the publishing and distribution of any public interest information deemed necessary by the state commission;

(c) For the conducting of aviation safety workshops;

(d) For the promotion of aerospace education[.];

(3) As total funds with no local match, up to five hundred thousand dollars per year may be used for the cost of operating existing air traffic control towers that do not receive funding from the Federal Aviation Administration or the Department of Defense, except no more than one hundred twenty-five thousand dollars per year may be used for any individual control tower.

5. [The general assembly may appropriate to the aviation trust fund an amount not to exceed five million dollars in each fiscal year for the purposes of this section. If on January thirty-first of any year, the unobligated balance of the aviation trust fund exceeds five million dollars, no appropriation shall be made for the following fiscal year.] In the event of a natural or manmade disaster which closes any runway or renders inoperative any electronic or visual landing aid at an airport, any funds appropriated for the purpose of capital improvements or maintenance of airports may be made immediately available for necessary repairs once they are approved by the Missouri department of transportation. For projects designated as emergencies by the Missouri department of transportation, all requirements relating to normal procurement of engineering and construction services are waived.

6. As used in this section, the term "instrumentality of the state" shall mean any state educational institution as defined in section 176.010, RSMo, or any state agency which owned or operated an airport on January 1, 1997, and continues to own or operate such airport."; and

Further amend said bill, Page 213, Section 142.621, Line 10, by inserting immediately after all of said line the following:

"[Section 17. 1. The task force on trade and investment within the department of economic development and the state highways and transportation commission, or its designee within the department of transportation, shall identify those airports that are crucial to the overall economic development of the state, and assist those airports to better promote travel, education, trade and commerce as it relates to the economic development of the state. Such airports shall include but not be limited to any privately owned airports designated as reliever airports by the Federal Aviation Administration, any airports owned by an instrumentality of the state, including any state agency which owns or operates an airport as of January 1, 1997, or any state educational institution as defined in section 176.010, RSMo.

2. Those airports identified pursuant to subsection 1 of this section shall be eligible to apply for grants from the aviation trust fund, pursuant to the conditions established in section 305.230, RSMo.]".

On motion of Representative Thomason (163), House Amendment No. 3 was adopted.

Representative Klindt offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 619, Page 25, Section 142.815, Line 3, by inserting after the word "consumer" the following: ",except as provided for in subsection (1) of this section,"

and

Further amend said bill and page, section 142.815, line 8, by inserting after the word "purposes" the following: ", at the discretion of the ultimate vender, the refund may be claimed by the ultimate vender on behalf of the consumer for sale made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800".

On motion of Representative Klindt, House Amendment No. 4 was adopted.

Representative McBride offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 619, Page 46, Section 142.830, Lines 9-13, by deleting the following, "Any person operating under revoked status or who is found to have not purchased a trip permit when so required by law, in addition to all other penalties provided by law, shall be assessed a civil penalty of fifty dollars by the director."

On motion of Representative McBride, House Amendment No. 5 was adopted.

Representative Gross offered House Amendment No. 6.

Representative Wiggins raised a point of order that House Amendment No. 6 amends previously amended material.

The Chair ruled the point of order well taken.

Representative Griesheimer offered House Amendment No. 6.

Representative May (108) raised a point of order that House Amendment No. 6 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Gaskill offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 619, Page 1, In the Title, Line 18, by deleting the figure "155.080" and inserting in lieu thereof the following: "155.080, 323.020, 323.060,"; and

Further amend said bill, Page 1, In the Title, Line 21, by deleting the word "sixty-four" and inserting in lieu thereof the word "sixty-six"; and

Further amend said bill, Page 2, Section A, Line 11, by deleting the figure "155.080" and inserting in lieu thereof the following: "155.080, 323.020, 323.060,"; and

Further amend said bill, Page 2, In the Title, Line 13, by deleting the word "sixty-four" and inserting in lieu thereof the word "sixty-six"; and

Further amend said bill, Page 3, Section A, Line 1, by deleting the figure "155.080" and inserting in lieu thereof the following: "155.080, 323.020, 323.060,"; and

Further amend said bill, Page 112, Section 155.080, Line 16, by inserting immediately after all of said line the

following:

"323.020. 1. The director of the department of agriculture shall make, promulgate and enforce regulations setting forth minimum general standards covering the design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck, tank trailer, and utilizing liquefied petroleum gases and specifying the odorization of such gases and the degree thereof. The regulations shall be such as are reasonably necessary for the protection of the health, welfare and safety of the public and persons using such materials, and shall be in substantial conformity with the generally accepted standards of safety concerning the same subject matter. Such regulations shall be adopted by the director of the department of agriculture pursuant to chapter 536, RSMo. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority of this chapter, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.

2. Except as specifically provided in subsection 1 of section 323.060, regulations in substantial conformity with the published standards of the National Board of Fire Underwriters for the design, installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases as recommended by the National Fire Protection Association shall be deemed to be in substantial conformity with the generally accepted standards of safety concerning the same subject matter.

323.060. 1. No person shall engage in this state in the business of selling at retail of liquefied petroleum gas, or in the business of handling or transportation of liquefied petroleum gas over the highways of this state or in the business of installing or servicing equipment and appliances for use with liquefied petroleum gas without having first registered with the director of the department of agriculture. No person shall engage in this state in the business of selling at retail of liquefied petroleum gas unless such person owns and operates one or more storage tanks located in the state of Missouri with a combined capacity of at least eighteen thousand gallons, except that such storage capacity requirements shall apply only to businesses engaged in bulk sales of liquified petroleum.

2. Nonresidents of the state of Missouri desiring to engage in the business of distribution of liquefied petroleum gases at retail, or the business of installing, repairing or servicing equipment and appliances for use of liquefied petroleum gases shall comply with sections 323.010 to 323.110 and rules and regulations promulgated thereunder.

3. All utility operations of public utility companies subject to the safety jurisdiction of the public service commission are exempt from the provisions of this section.".

On motion of Representative Gaskill, House Amendment No. 6 was adopted.

Representative Froelker offered House Amendment No. 7.

Representative May (108) raised a point of order that House Amendment No. 7 amends previously amended material.

The Chair ruled the point of order well taken.

Representative Gross offered House Amendment No. 7.

Representative Wiggins raised a point of order that House Amendment No. 7 amends previously amended material.

The Chair ruled the point of order not well taken.

House Amendment No. 7 was withdrawn.

Representative Froelker offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 619, Page 213, Section B, Line 11, by deleting on said line "January 1" and insert in lieu thereof "June 1".

Representative Froelker moved that House Amendment No. 7 be adopted.

Which motion was defeated.

On motion of Representative Stoll, HS HCS SB 619, as amended, was adopted.

On motion of Representative Stoll, HS HCS SB 619, as amended, was read the third time and passed by the following vote:

AYES: 139

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Donovan Dougherty

Edwards-Pavia Elliott Enz Farnen Fitzwater

Foley Foster Franklin Fritts Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stoll Stroker Summers

Surface Thompson 37 Thompson 72 Townley Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 010

Akin Evans Froelker Griesheimer Hall

Kissell Lograsso Loudon Luetkenhaus Treadway

PRESENT: 000

ABSENT WITH LEAVE: 013

Bennett Dolan Ford Hickey Liese

Linton Long Nordwald Rizzo Shear

Sheldon 104 Stokan Thomason 163

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Fritts moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS HS HCS HBs 1455 & 1463, entitled:

An act to repeal sections 86.390, 86.440, 86.441, 86.483, 86.680, 86.750, 104.352 and 104.370, RSMo 1994, and sections 86.251, 86.253, 86.256, 86.260, 86.280, 86.283, 86.287, 86.447, 86.620, 86.672, 86.810, 87.371, 104.374 and 104.612, RSMo Supp. 1997, and section 104.348, as truly agreed to and finally passed by the second regular session of the eighty-ninth general assembly in house committee substitute for senate bill no. 841, relating to certain retirement systems, and to enact in lieu thereof tweny-three new sections relating to the same subject, with an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1455 & 1463, Page 54, Section 104.370, Line 18, of said page, by striking the word "one" and inserting in lieu thereof the following: "two"; and further amend line 19 of said page, by striking "seventy-five".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1455 & 1463, Page 2, Section A, Line 5, by inserting immediately after all of said line the following:

"70.686. If a retirant becomes employed in a position covered by the system, [he] such retirant shall forfeit one monthly allowance payment for each calendar month in which [he] the retirant renders any such employment[. During such employment, a retirant shall not accrue additional credited service nor shall he contribute to the system.]; except that, the retirant shall be considered a reemployed member with contributions due immediately in accordance with sections 70.705 and 70.710. Such period of reemployment shall be for a minimum of one year of additional membership service before the retirant shall receive any additional allowance. Any reemployed retirant who has one or more years of membership service after reemployment and later retires shall receive an additional allowance calculated to include only the membership service and the average compensation earned by the member since reemployment, if such employment is less than the period described in section 70.656. In either event, the original allowance and the additional allowance, if any, shall be paid commencing with the first month after such reemployment terminates. If the retirant retired pursuant to section 70.680, the provisions of section 70.680 shall apply."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1455 & 1463, Page 2, Section A, Line 5, by adding after the ":" on said line the following:

70.697. Any member who is eligible to receive benefits under the local government employees' retirement system and who retires after August 28, 1993, and who is also eligible to receive benefits under the provisions of sections 56.800 to 56.840, RSMo, shall receive benefits under sections 56.800 to 56.840, RSMo, which are reduced by one-third of the amount received from the local government employees' retirement system.; and

further amend said bill by amending the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1455 & 1463, Page 71, Section 104.612, Line 23, by inserting after all of said line the following:

"Section 1. Any state employee or official holding employment on August 28, 1998, who has service as a member pursuant to section 104.345, RSMo, shall be entitled to creditable prior service for service rendered as a county employee if the person establishes proof of such service to the satisfaction of the board."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1455 & 1463, Page 71, Section 104.612, Line 23 of said page, by inserting immediately after said line the following:

"Section 1. In addition to the provisions for creditable service provided in section 50.1090, RSMo, any county employee as defined in section 50.1000, RSMo, who was employed on January 1, 1989, and who was not employed on August 28, 1994, and who had prior service as a county employee for at least eight years may apply to the board and shall be made and employed by the board of trustees as a special consultant on the problems of retirement for the remainder of the person's life. Upon request of the board, the consultant shall give opinions or be available to give opinions in writing or orally in response to such requests. As compensation the consultant may elect to become a member of the system and purchase a portion of such prior service as prior creditable service. The election shall be made in writing to the board at the time the person applies to be made a consultant under the provisions of this subsection. The purchase shall be, for those who are not also members of the local government employees' retirement system, at the rate of three percent of the retiring member's average final compensation times the number of years purchased. The purchase for those who are also members of the local government employees' retirement system will be at the rate of two percent of the retiring member's average final compensation times the number of years purchased. Fifty percent of the

purchase of prior creditable service shall be made prior to receiving retirement benefits and the balance may be in one lump sum payment at the time of application for appointment as a consultant or may be deducted in equal monthly installments from the retirement benefits paid to the consultant over a period of years to be agreed upon by the consultant and the board but not to exceed four years. If the consultant dies prior to payment of the full amount due, no further payment shall be due and the surviving spouse of the deceased shall receive the benefits required under the provisions of sections 50.1000 to 50.1200, RSMo."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

MOTION

SS SCS HS HCS HBs 1455 & 1463, as amended, relating to retirement systems, was taken up by Representative O'Toole.

On motion of Representative O'Toole SS SCS HS HCS HBs 1455 & 1463, as amended, was adopted by the following vote:

AYES: 082

Auer Bartlett Bauer Bland Bonner

Boucher Bray 84 Burton Campbell Carter

Clayton Cooper Copeland Crump Daniels 41

Davis 63 Days DeMarce Donovan Dougherty

Fitzwater Foley Ford Foster Franklin

Fritts Graham 24 Gratz Green Gunn

Hagan-Harrell Harlan Hartzler 123 Heckemeyer Hickey

Hilgemann Johnson Kasten Kauffman Kelly 27

Kennedy Koller Leake Legan Lograsso

May 108 Mays 50 McLuckie Monaco Murphy

Murray O'Connor O'Toole Ostmann Overschmidt

Ransdall Reynolds Rizzo Robirds Ross

Sallee Scheve Scott Sheldon 104 Shelton 57

Skaggs Smith Steen Stroker Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Wilson

Wooten Mr. Speaker

NOES: 072

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bennett Berkstresser Boatright

Broach Champion Chrismer Cierpiot Crawford

Davis 122 Dolan Elliott Enz Evans

Farnen Froelker Gaskill Gaston Gibbons

Graham 106 Griesheimer Gross Hall Hartzler 124

Hegeman Hendrickson Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Kelley 47 Kissell

Klindt Kreider Lakin Lawson Levin

Linton Loudon Luetkenhaus Marble McBride

McClelland Merideth Miller Naeger Parker

Patek Pouche Pryor Purgason Reinhart

Relford Richardson Schilling Schwab Secrest

Seigfreid Shields Stoll Summers Surface

Townley Williams 159

PRESENT: 000

ABSENT WITH LEAVE: 008

Daniel 42 Edwards-Pavia Liese Long Nordwald

Ridgeway Shear Stokan

VACANCIES: 001

On motion of Representative O'Toole, SS SCS HS HCS HBs 1455 & 1463, as amended, was truly agreed to and finally passed by the following vote:

AYES: 082

Auer Bartlett Bauer Bland Bonner

Boucher Bray 84 Burton Campbell Carter

Clayton Cooper Copeland Crump Daniels 41

Davis 63 Days DeMarce Donovan Dougherty

Edwards-Pavia Fitzwater Foley Ford Franklin

Fritts Graham 24 Gratz Green Gunn

Hagan-Harrell Harlan Hartzler 123 Heckemeyer Hickey

Hilgemann Johnson Kasten Kauffman Kelly 27

Kennedy Koller Leake Legan Lograsso

May 108 Mays 50 McLuckie Monaco Murray

O'Connor O'Toole Ostmann Overschmidt Ransdall

Relford Reynolds Rizzo Robirds Ross

Sallee Scheve Scott Sheldon 104 Shelton 57

Skaggs Smith Steen Stroker Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Wilson

Wooten Mr. Speaker

NOES: 071

Akin Alter Backer Ballard Barnett
Barry 100 Bartelsmeyer Bennett Berkstresser Boatright
Broach Champion Chrismer Cierpiot Crawford
Davis 122 Dolan Elliott Enz Evans
Farnen Foster Froelker Gaskill Gaston
Gibbons Graham 106 Griesheimer Gross Hall
Hartzler 124 Hegeman Hendrickson Hohulin Holand
Hollingsworth Hoppe Hosmer Howerton Kelley 47
Kissell Klindt Kreider Lawson Levin
Linton Loudon Luetkenhaus Marble McBride
McClelland Merideth Miller Naeger Parker
Patek Pouche Pryor Purgason Reinhart
Richardson Schilling Schwab Secrest Seigfreid
Shields Stoll Summers Surface Townley
Williams 159

PRESENT: 000

ABSENT WITH LEAVE: 009

Daniel 42 Lakin Liese Long Murphy
Nordwald Ridgeway Shear Stokan

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 109

Alter Auer Backer Ballard Bartelsmeyer
Bartlett Bauer Berkstresser Bland Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Chrismer Clayton Cooper Copeland
Crump Daniels 41 Davis 122 Davis 63 Days
DeMarce Donovan Dougherty Elliott Evans
Farnen Fitzwater Foley Ford Franklin
Fritts Gaskill Gaston Gibbons Graham 24

Green Gunn Hagan-Harrell Harlan Hartzler 123
Heckemeyer Hickey Hilgemann Hoppe Johnson
Kasten Kauffman Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Loudon Marble
May 108 Mays 50 McLuckie Miller Monaco
Murphy Murray O'Connor O'Toole Ostmann
Overschmidt Parker Pryor Ransdall Reinhart
Reynolds Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Shelton 57
Skaggs Smith Steen Stoll Stroker
Thomason 163 Thompson 37 Thompson 72 Townley Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Wilson Wooten Mr. Speaker

NOES: 041

Akin Barnett Barry 100 Bennett Champion
Cierpiot Crawford Dolan Edwards-Pavia Enz
Foster Froelker Graham 106 Griesheimer Gross
Hartzler 124 Hegeman Hendrickson Hohulin Holand
Hollingsworth Hosmer Howerton Kelley 47 Linton
Lograsso Luetkenhaus McBride McClelland Merideth
Naeger Patek Pouche Purgason Relford
Richardson Secrest Seigfreid Shields Summers
Williams 159

PRESENT: 000

ABSENT WITH LEAVE: 012

Boatright Daniel 42 Gratz Hall Liese
Long Nordwald Ridgeway Shear Sheldon 104
Stokan Surface

VACANCIES: 001

On motion of Representative Kennedy, title to the bill was agreed to.

Representative Days moved that the vote by which the bill passed be reconsidered.

Representative Bonnor moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on HB 1301 with Senate Committee Amendment No. 1, are allowed to exceed the differences.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SCS HB 1302, entitled:

An act relating to certain health care providers.

With Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 11 and Senate Amendment No. 12.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Bill No. 1302, Page 1, Section 1, Line 1, by inserting immediately before after all of said line the following:

"354.535. 1. If a pharmacy, operated by or contracted with by a health maintenance organization, is closed or is unable to provide health care services to an enrollee in an emergency, a pharmacist may take an assignment of such enrollee's right to reimbursement, if the policy or contract provides for such reimbursement, for those goods or services provided to an enrollee of a health maintenance organization. No health maintenance organization shall refuse to pay the pharmacist any payment due the enrollee under the terms of the policy or contract.

2. No health maintenance organization, conducting business in the state of Missouri, shall contract with a pharmacy, pharmacy distributor or wholesale drug distributor, nonresident or otherwise, unless such pharmacy or distributor has been granted a permit or license from the Missouri board of pharmacy to operate in this state.

3. Every health maintenance organization shall apply the same coinsurance, copayment and deductible factors to all drug prescriptions filled by a pharmacy provider who participates in the health maintenance organization's network if the provider meets the contract's explicit product cost determination. If any such contract is rejected by any pharmacy provider, the health maintenance organization may offer other contracts necessary to comply with any network adequacy provisions of this act. However, nothing in this section shall be construed to prohibit the health maintenance organization from applying different coinsurance, copayment and deductible factors between generic and brand name drugs.

4. Health maintenance organizations shall not set a limit on the quantity of drugs which an enrollee may obtain at any one time with a prescription, unless such limit is applied uniformly to all pharmacy providers in the health maintenance organization's network.

5. Health maintenance organizations shall not insist or mandate any [provider] physician or other licensed health care practitioner to change an enrollee's maintenance drug unless the provider and enrollee agree to such change. For the purposes of this provision, a maintenance drug shall mean a drug prescribed by a practitioner who is licensed to prescribe drugs, used to treat a medical condition for a period greater than thirty days. Violations of this provision shall be subject to the penalties provided in section 354.444. Notwithstanding other provisions of law to the contrary, health maintenance organizations that change an enrollee's maintenance drug without the consent of the provider and enrollee shall be liable for any damages resulting from such change. Nothing in this subsection, however, shall apply to the dispensing of generically equivalent products for prescribed brand name maintenance drugs as set forth in section 338.056, RSMo.

[6. Notwithstanding any provision to the contrary under subsection 5 of this section, maintenance drugs as described in this section shall not include drugs which are classified as narrow therapeutic index drugs for which the United States Food and Drug Administration has approved a generic substitute.]"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Bill No. 1302, Page 5, Section 7, Line 29, by inserting the following at the end of said line:

"Section 8. All individual and group health insurance policies providing coverage on an expense incurred basis, individual and group service or indemnity type contracts issued by a nonprofit corporation, individual and group service contracts issued by a health maintenance organization, all self-insured group arrangements to the extent not preempted by federal law and all managed health care delivery entities of any type or description, that are delivered, issued for delivery, continued or renewed on or after August 28, 1998, shall provide coverage for administration of general anesthesia and hospital charges for dental care provided to the following covered persons:

(1) A child under the age of five;

(2) A person who is severely disabled; or

(3) A person who has a medical or behavioral condition which requires hospitalization or general anesthesia when dental care is provided.

2. Each plan as described in this section must provide coverage for administration of general anesthesia and hospital or office charges for treatment rendered by a dentist, regardless of whether the services are provided in a participating hospital or surgical center or office.

3. Nothing in this section shall prevent a health carrier from requiring prior authorization for hospitalization for dental care procedures in the same manner that prior authorization is required for hospitalization for other covered diseases or conditions.

4. Nothing in this section shall apply to accident-only, dental only plans or other specified disease, hospital indemnity, medicare supplement or long-term care policies, or short term major medical policies of 6 months or less in duration."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Committee Substitute for House Bill No. 1302, Page 5, Section 7, Line 29, by inserting after all of said line the following:

"Section 8. Any health insurer, as defined in section 376.806, RSMo nonprofit health service plan or health maintenance organized shall reimburse a claim for services provided by an advanced practice nurse, as defined in section 335.016, RSMo, if such services are within the scope of practice of such nurse."

Senate Amendment No. 10

AMEND Senate Committee Substitute for House Bill No. 1302, Page 3, Section 3, Lines 8-10, by striking all of said lines and inserting in lieu thereof the following: "administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority of this section, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act.".

Senate Amendment No. 11

AMEND Senate Committee Substitute for House Bill No. 1302, Page 5, Section 7, Line 29, by inserting after all of said line the following:

"5. A provider who is paid interest under this section shall pay the proportionate amount of said interest to the enrollee or insured to the extent and for the time period that the enrollee or insured had paid for the services and for which reimbursement was due to the insured or enrollee."

Senate Amendment No. 12

AMEND Senate Committee Substitute for House Bill No. 1302, Section 7, Page 4, Line 18, by deleting the words "and one-half", and further

Amend said bill and section, page 5, line 29, by deleting the words "and one-half" and further

Amend said bill and section, page 5, line 29, by inserting after said line the following:

"6. This section shall become effective April 1, 1999."

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed HB 1240.

CONFERENCE COMMITTEE REPORT

ON

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1189

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for House Bill No. 1189, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1189;

2. That the Senate recede from its position on House Committee Substitute for House Bill No. 1189, as amended;

3. That the attached Conference Committee Substitute for House Committee Substitute for House Bill No. 1189 be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Chris Liese /s/ Ed Quick

/s/ Gene Copeland /s/ John E. Scott

/s/ Ed Hartzler /s/ Franc Flotron

/s/ M. E. Johnson /s/ David Klarich

/s/ Gary Burton

CONFERENCE COMMITTEE REPORT

ON

HOUSE BILL NO. 1301

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Bill No. 1301, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 1301;

2. That the Senate recede from its position on House Bill No. 1301, as amended;

3. That the attached Conference Committee Substitute for House Bill No. 1301 be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Marsha Campbell /s/ Harry Wiggins

/s/ Tim VanZandt /s/ Wayne Goode

/s/ Joan Bray /s/ Ken Jacob

/s/ Doug Gaston /s/ Doyle Childers

/s/ Don Lograsso /s/ Walt Mueller

CONFERENCE COMMITTEE REPORT

ON

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 487

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Substitute for House Committee Substitute for Senate Bill No. 487, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9 and House Amendment No. 10; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 487, as amended;

2. That the Senate recede from its position on Senate Bill No. 487;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 487 be adopted;

4. That the Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 487 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Ron Auer /s/ Wayne Goode

/s/ Charlie Fritts /s/ William Clay

/s/ Patrick O'Connor /s/ Jim Mathewson

/s/ Ken Legan /s/ Doyle Childers

/s/ Gary Burton /s/ Morris Westfall

CONFERENCE COMMITTEE REPORT

ON

HOUSE SUBSTITUTE

FOR

SENATE SUBSTITUTE NO. 2

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 632

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, with House Substitute Amendment No. 1 for House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 2, House Amendment No. 3, House Substitute Amendment No. 1 for House Amendment No. 6, House Amendment No. 7, House Amendment No. 8 and House Substitute Amendment No. 1 for House Amendment No. 9; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632, as amended;

2. That the Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632;

3. That the attached Conference Committee Substitute for House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 632 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Scott B. Lakin /s/ Edward E. Quick

/s/ Katherine Hollingsworth /s/ Bill McKenna

/s/ Steve Gaw /s/ Wayne Goode

/s/ Charlie Schields /s/ Morris Westfall

/s/ T. Mark Elliott /s/ Larry Rohrbach

CONFERENCE COMMITTEE REPORT

ON

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 787

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Committee Substitute for Senate Bill No. 787, with House Amendment No. 1 and House Amendment No. 2; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 787, as amended;

2. That the Senate recede from its position on Senate Bill No. 787;

3. That the Conference Committee Substitute for House Committee Substitute for Senate Bill No. 787 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Vicky Riback Wilson /s/ William Clay

/s/ Russell Gunn /s/ Betty Sims

/s/ Bill Boucher /s/ Ronnie DePasco

/s/ Emmy McClelland /s/ Doyle Childers

/s/ Roy W. Holand /s/ John D. Schneider

CONFERENCE COMMITTEE REPORT

ON

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 827

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Substitute for House Committee Substitute for Senate Bill No. 827, with House Substitute Amendment No. 1 for House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, House Amendment No. 10, House Amendment No. 11, House Amendment No. 12, House Amendment No. 13, House Substitute Amendment No. 1 for House Amendment No. 14, House Amendment No. 15 and House Amendment No. 16; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 827, as amended;

2. That the Senate recede f rom its position on Senate Bill No. 827;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 827 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Henry Rizzo /s/ James Mathewson

/s/ May Scheve /s/ Mike Lybyer

/s/ Joan Bray /s/ John Scott

/s/ Bonnie Sue Cooper /s/ Doyle Childers

/s/ Carl Vogel /s/ Betty Sims

CONFERENCE COMMITTEE REPORT

ON

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1095

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, with Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2, Senate Amendment No. 2, as amended, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15 and Senate Amendment No. 17; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, as amended;

2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1095;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095 be adopted; and

4. That the Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095 be third read and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Philip Smith /s/ Bill McKenna

/s/ Steve Gaw /s/ John Scott

/s/ D. J. Davis /s/ Jim Mathewson

/s/ Ken Legan /s/ Steve Ehlmann

/s/ T. Mark Elliott /s/ Doyle Childers

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 9:00 a.m., Thursday, May 14, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-second Day, Tuesday, May 12, 1998, pages 1754 and 1755, roll call, by showing Representatives Bennett, Kissell, Murphy and Smith voting "aye" rather than "absent with leave".

Pages 1755 and 1756, roll call, by showing Representatives Bennett, Kelly (27), Naeger and Smith voting "aye" rather than "absent with leave".

Page 1756, roll call, by showing Representatives Bartelsmeyer, Bennett, Ladd Stokan and Smith voting "aye" rather than "absent with leave".

Page 1757, roll call, by showing Representatives Bennett, Donovan, Hoppe, Kelly (27) and Smith voting "aye" rather than "absent with leave".

Pages 1757 and 1758, roll call, by showing Representatives Bennett, Donovan, Hoppe, Lakin, Reynolds and Smith voting "aye" rather than "absent with leave".

Pages 1758 and 1759, roll call, by showing Representatives Bennett, Dolan, Richardson and Smith voting "aye" rather than "absent with leave".

Pages 1759 and 1760, roll call, by showing Representatives Bennett, Davis (63), Levin, Smith and Surface voting "aye" rather than "absent with leave".

Page 1761, roll call, by showing Representatives Bennett, Champion, Hoppe and Loudon voting "aye" rather than "absent with leave".

Pages 1761 and 1762, roll call, by showing Representatives Bennett, Hegeman, Hoppe, Lakin and Loudon voting "aye" rather than "absent with leave".

Pages 1762 and 1763, roll call, by showing Representatives Barry, Bennett, Donovan, Loudon and Williams (121) voting "aye" rather than "absent with leave".

Pages 1763 and 1764, roll call, by showing Representatives Barry, Bennett, Hoppe and Loudon voting "aye" rather than "absent with leave".

Pages 1764 and 1765, roll call, by showing Representatives Barry, Bennett, Griesheimer, Loudon and Williams (121) voting "aye" rather than "absent with leave".

Pages 1765 and 1766, roll call, by showing Representatives Bennett and Loudon voting "aye" rather than "absent with leave".

Page 1766, roll call, by showing Representatives Bennett, Lakin, Levin and Loudon voting "aye" rather than "absent with leave".

Pages 1767 and 1768, roll call, by showing Representatives Bennett, Donovan, Lakin and Levin voting "aye" rather than "absent with leave".

Pages 1767 and 1768, roll call, by showing Representative Loudon voting "no" rather than "absent with leave".

Page 1768, roll call, by showing Representatives Bennett and Lakin voting "aye" rather than "absent with leave".

Page 1768, roll call, by showing Representative Loudon voting "no" rather than "absent with leave".

Page 1773, roll call, by showing Representatives Bennett, Campbell, Hoppe, Kreider, Lakin, Levin, Liese, Luetkenhaus, Parker, Ross, Summers and Thompson (72) voting "aye" rather than "absent with leave".

Page 1773, roll call, by showing Representatives Howerton, Loudon and Nordwald voting "no" rather than "absent with leave".

Pages 1775 and 1776, roll call, by showing Representatives Donovan, Foster and Williams (121) voting "aye" rather than "absent with leave".

Pages 1782 and 1783, roll call, by showing Representatives Kissell and Patek voting "no" rather than "absent with leave".

Pages 1795 and 1796, roll call, by showing Representatives Bennett, Donovan, Hoppe and Long voting "aye" rather than "absent with leave".

Pages 1805 and 1806, roll call, by showing Representatives Bennett, Hoppe, Lakin, Naeger and Shields voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS

Thursday, May 14, 1998, 1:00 pm. Hearing Room 8.

HOUSE CALENDAR

Seventy-forth Day,Thursday, May 14, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

3 HJR 41 - Kelly (27)

4 HJR 31 - Graham (24)

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040, 1554, 1252, 1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

13 HB 1871 - Bland

14 HCS HB 1139 - Green

15 HCS HB 1078 & 1568 - Van Zandt

16 HCS HB 1678 - Wiggins

17 HB 1689, HCA 1 - Murray

18 HCS HB 1163, 1211, 1225 & 1660 - Parker

19 HCS HB 1768 - Franklin

20 HB 1553, HCA 1 - Foley

22 HCS HB 988 - Boucher

22 HCS HB 925 - Johnson

23 HB 993 - Bray

24 HB 939 - Backer

25 HB 1028 - Kissell

26 HCS HB 1065, 1180 & 1121 - Smith

27 HB 1634 - May (108)

28 HCS HB 1546, 1305 & 1275 - Scheve

29 HCS HB 1104 - Treadway

30 HCS HB 1034 - Campbell

31 HCS HB 1056, 905, 1538 & 1130 - Troupe

32 HCS HB 1067, 1254, 1358, 1359, 1370 & 1575 - Parker

33 HCS HB 1075 - Kreider

34 HCS HB 1127, 1399, 990 & 935 - May (108)

35 HCS HB 1135 & 991 - Luetkenhaus

36 HCS HB 1140 & 1329 - Green

37 HB 1199 - Treadway

38 HCS HB 1222 & 1347 - Farnen

39 HB 1231, HCA 1 - Dougherty

40 HB 1244, HCA 1 - Riback Wilson

41 HCS HB 1248, 1461, 1502, 1529 & 1530 - Clayton

42 HCS HB 1327 - Reynolds

43 HCS HB 1361 - Treadway

44 HCS HB 1337 - Reinhart

45 HB 1603 - Champion

46 HCS HB 1297 & 1495 - Levin

47 HCS HB 1384, 982 & 954 - Stoll

48 HB 1394, HCA 1 - Dougherty

49 HB 1443 - May (108)

50 HB 1450 - Barry

51 HB 1467, HCA 1 - Champion

52 HCS HB 1618 & 953 - Thomason (163)

53 HCS HB 1628 - Seigfreid

54 HCS HB 1648 & 1709 - Crump

55 HB 1729 - Scheve

56 HB 1759, HCA 1 - Wiggins

57 HCS HB 942 - Long

58 HCS HB 1771 - Stoll

59 HCS HB 1774 - Lakin

60 HB 1922 - Berkstresser

61 HB 1855 - Hosmer

62 HB 1314 - Wiggins

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

3 HCS HB 1674, HS#2, as amended, pending, - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1124 - Days

3 HS HB 1796 - Harlan

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR THIRD READING

1 SCS SB 561, HCA 1 - Boucher

2 HCS SS SCS SB 583 & 645 - Thomason (163)

3 HCS SB 674 - Riback Wilson

4 HCS SS SB 792 - Liese

5 HCS SCS SB 922 - Luetkenhaus

6 HCS SCS SB 659 - Crump

7 HCS SS SCS SB 651 - Dougherty

8 HCS SB 629 - Shelton (57)

9 HCS SS SCS SB 596 - Leake

10 HCS SS SB 478 - Crump

11 HCS SS SCS SB 852 & 913 - Wannenmacher

12 SB 650 - Kelly (27)

13 HCS SCS SB 762 - McLuckie

14 HCS SS SCS SB 627, E.C. - Mays (50)

15 SB 925, E.C. - O'Toole

16 HCS SS SCS SB 754 - Carter

17 HCS SCS SB 813 & 864 - Thomason (163)

18 HCS SCS SB 532, 806 & 633 - Hosmer

19 SB 709 - Days

20 SB 588 - Fritts

21 HCS SCS SB 477 - McBride

22 HCS SB 734, E.C. - Smith

23 HCS SS SB 657 - O'Toole

24 HCS SCS SB 522, E.C. - Lakin

25 HCS SCS SB 625 - Hoppe

26 HCS SB 641 - Farnen

27 HCS SB 773 - Harlan

28 HCS SS SB 518 - Thomason (163)

29 HCS SB 800 - Hoppe

30 SCS SB 571 - Kelly (27)

31 HCS SB 745 - Farnen

32 HCS SCS SB 613, E.C. - Hoppe

33 HCS SB 689 - Riback Wilson

34 SCS SB 523, HCAs 1 & 2, E.C. - Lakin

35 HCS SCS SB 610 & 835 - Gaskill

36 SB 927 - Hosmer

37 SB 756 - McClelland

38 SCS SB 849 - Skaggs

39 HCS SB 908 - Gibbons

40 HCS SB 525 - Thomason (163)

41 SB 566 - Mays (50)

42 HCS SB 780, E.C. - Stoll

43 SCS SB 802, E.C. - Thompson (37)

SENATE BILL FOR THIRD READING - INFORMAL

1 HCS SB 615 - Treadway

SENATE BILLS FOR THIRD READING - FEDERAL MANDATE

1 HCS SS SCS SB 771 & 687, E.C. (Budget Fiscal 5-11-98) - Dougherty

BILLS IN CONFERENCE

1 CCR SS SCS HS HCS HB 1095, as amended - Smith

2 CCR#2 HCS SB 778 - Hoppe

3 CCR HS HCS SB 487, as amended - Auer

4 SCS HB 1683, as amended - Fitzwater

5 HCS SS SB 910 - Dougherty

6 CCR HCS HB 1189, as amended - Liese

7 SCS HS HCS HB 1601, 1591, 1592, 1479, 1615

AND HCS HB 1094,1213,1311 & 1428 - Treadway

8 CCR HB 1301, as amended - Campbell

9 CCR HS SS#2 SCS SB 632, as amended - Lakin

10 HS HCS SS SCS SB 781, as amended - Stoll

11 CCR HCS SB 787, as amended - Riback Wilson

12 HS HCS SB 827, as amended - Rizzo

13 SS SCS HS HB 1694, as amended - Farnen

HOUSE CONCURRENT RESOLUTION

1 HCR 17, HS, pending (5-6-98, pgs. 1548 & 1549) - Carter

HOUSE RESOLUTION

1 HR 885, (4-29-98, pgs. 1362 & 1363) - Green

Missouri House of Representatives

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House Journal

Second Regular Session, 89th General Assembly

SEVENTY-FOURTH DAY, Thursday, May 14, 1998

Speaker Gaw in the Chair.

Prayer by Representative T. Mark Elliott.

In the hustle and bustle of the last days of this Session, many times we lose sight of the really important things. I am reminded this week of the 2-year anniversary of the loss of my daughter Haley's best friend, in a tragic accident. We are also reminded that it was just short a year ago that the gentleman from Stoll district suffered the tragic loss of his daughter. These events and others remind us that our work in this place may not be as important as we sometimes make it to be. The stress and anxiety caused by events like these lead me to my favorite scripture which is Isaiah 41:9-13. I will read this for you today because I think it is appropriate.

I took you from the ends of the earth, from its farthest corners I called you. I said, "You are my servant; I have chosen you and have not rejected you. So do not fear, for I am with you; do not be dismayed, for I am your God. I will strengthen you and help you; I will uphold you with my righteous right hand. All who rage against you will surely be ashamed and disgraced; those who oppose you will be as nothing and perish. Though you search for your enemies, you will not find them. Those who wage war against you will be as nothing at all. For I am the Lord, your God, who takes hold of your right hand and says to you, Do not fear; I will help you."

Let us pray.

Father, thank You for this beautiful day that You have given us and thank You for our families that allow us to be here. Watch over them as we finish our week. Father, I pray for those here. Watch over my daughter Haley's friend, Eric Beck, who is in the hospital in Columbia. I also ask that You watch out over our colleague, Sue Shear. We also ask that You guide us with Your wisdom and give us peace.

In Your name, I pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation:

Josh Grayson, Richard Jobe, Ashley Williams, Brett Knight, Nicole Tennyson, Andy Van Pelt, Marvin Hessenlopp, Maria Donovan, Sam Donovan and Anna Donovan.

The Journal of the seventy-third day was approved as corrected.

RESOLUTIONS

Representative Vogel offered House Resolution No. 1511, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Surface, Burton and Elliott offered House Resolution No. 1512, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wannenmacher offered House Resolution No. 1513 through House Resolution No. 1515, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kasten offered House Resolution No. 1516, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1517 through House Resolution No. 1519, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 1520, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTIONS

Representative Wiggins offered House Concurrent Resolution No. 31.

Representative Leake offered House Concurrent Resolution No. 32.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **CCS SCS HB 927, SCS HB 1043, CCS SCS HS HCS HB 1161, SCS HB 1599, CCS SCS HB 1918** and **HB 1928**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 41, relating to equal rights amendment, was taken up by Representative Kelly (27).

HJR 41 was laid over.

Speaker Pro Tem Kreider assumed the Chair.

COURTESY RESOLUTION

Speaker Gaw, joined by the entire House membership, offered **House Resolution No. 1510,** which was read.

House Resolution No. 1510

WHEREAS, the Institute for Women in Public Life located at the University of Missouri-St. Louis is being named for the Honorable S. Sue Shear, Missouri State Representative from District No. 83; and

WHEREAS, this distinct honor has come to Representative Shear by virtue of the countless ways in which she has

continually served throughout her life as an example and as an inspiration to women everywhere by attaining a high standard of excellence in all of her personal as well as professional endeavors; and

WHEREAS, the mission of the Institute for Women in Public Life is to assist women in developing the interest and skills necessary to succeed as full participants within government, serving in elective and appointed office as well as employed policy makers; and

WHEREAS, the Institute for Women in Public Life seeks to break down both the internal and external barriers that once hindered women from full participation in government so that they might embrace the rights and responsibilities of a representative democracy, a goal which Representative Shear has most certainly attained during her quarter century of outstanding service and leadership in public office; and

WHEREAS, Representative Shear is truly respected and greatly admired for the significant role she has played as a champion of issues that have stressed the importance of women in the public arena as contributing members of governmental bodies which affect the overall quality of our daily lives; and

WHEREAS, a woman of remarkable ability, tremendous foresight, and tireless compassion, Mrs. Shear has embodied as a public servant and as a private citizen all of the important principles and high ideals that form the very foundation upon which the Institute for Women in Public Life so solidly stands:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-ninth General Assembly, join unanimously in applauding and commending our dear friend and loyal colleague, Sue Shear, on the occasion of this unique honor and in expressing our deepest gratitude for her numerous achievements which have earned her such a prominent place in our legislative history and in all of our hearts; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable S. Sue Shear, as a mark of our esteem for her.

On motion of Speaker Gaw, **House Resolution No. 1510** was adopted by the following vote:

AYES: 155

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McClelland McLuckie

Merideth Miller Monaco Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ballard Burton McBride Murphy Nordwald

Shear Steen

VACANCIES: 001

Speaker Gaw resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1668**, entitled:

An act to repeal section 192.1000, RSMo Supp. 1997, relating to first responder programs, and to enact in lieu thereof one new section relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1668, Page 2, Section 190.375, Lines 23-24, by striking from said lines the words "first responder"; and

further amend said page and section, line 24, by striking the word "lay"; and

further amend said page and section, line 25, by inserting immediately after the word "person" the following: "**properly qualified who follows medical protocol for use of the device**"; and

further amend said page and section, lines 42-43 by striking the words "direction and prescribe" and inserting in lieu thereof the words "**protocol for**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SB 487, as amended**, and has taken up and passed **CCS HS HCS SB 487**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SB 743, as amended**, and requests the House to recede from its position or failing to do so, grant the Senate a conference thereon and further that the Senate conferees be allowed to exceed the differences.

MOTION

Representative Hoppe moved that the House refuse to recede from its position on **HS SB 743, as amended,** and grant the Senate a conference and the House conferees be allowed to exceed the differences on the emergency clause only in the section dealing with 911.

Which motion was adopted.

BILLS IN CONFERENCE

CCR SS SCS HS HCS HB 1095, as amended, relating to governmental meetings and records, was taken up by Representative Smith.

On motion of Representative Smith, **CCR SS SCS HS HCS HB 1095, as amended,** was adopted by the following vote:

AYES: 138

Auer Backer Ballard Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crawford

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Farnen Fitzwater Foley

Ford Foster Franklin Fritts Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Lakin Lawson Leake Legan Levin

Liese Lograsso Long Luetkenhaus Marble

May 108 Mays 50 McBride McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor Overschmidt Parker Pouche Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 015

Akin Alter Evans Gross Kauffman

Kreider Loudon McClelland Murphy Ostmann

Patek Pryor Schwab Secrest Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 009

Campbell Crump Froelker Hartzler 124 Heckemeyer

Linton O'Toole Scott Shear

VACANCIES: 001

On motion of Representative Smith, **CCS SS SCS HS HCS HB 1095** was read the third time and passed by the following vote:

AYES: 139

Auer Backer Ballard Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Daniel 42 Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Farnen Fitzwater Foley

Foster Franklin Fritts Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Hegeman Hendrickson Hickey

Hilgemann Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Luetkenhaus May 108 Mays 50

McBride McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Overschmidt Parker Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Scott Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 013

Akin Alter Evans Gross Kauffman

Kreider Loudon McClelland Murphy Ostmann

Patek Secrest Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 010

Crump Davis 63 Ford Froelker Heckemeyer

Hohulin Kasten Marble Schwab Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

CCR HCS HB 1189, as amended, relating to credit transactions, was taken up by Representative Liese.

On motion of Representative Liese, **CCR HCS HB 1189, as amended,** was adopted by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bauer Bennett
Bland Bonner Boucher Bray 84 Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 124 Hegeman Hendrickson Hickey Hilgemann
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Levin Liese
Linton Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murray
Naeger Nordwald O'Connor O'Toole Ostmann
Overschmidt Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thomason 163 Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 001

Boatright

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartlett Berkstresser Hartzler 123 Heckemeyer Hohulin
Legan Murphy Relford Shear Vogel

VACANCIES: 001

On motion of Representative Liese, **CCS HCS HB 1189** was read the third time and passed by the following vote:

AYES: 149

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Crawford Crump Daniel 42 Daniels 41 Davis 122
Davis 63 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Kreider Lakin Lawson Leake Legan
Levin Liese Linton Lograsso Long
Loudon Luetkenhaus Marble May 108 Mays 50
McBride McClelland Merideth Miller Monaco
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Parker Patek Pouche Pryor
Purgason Ransdall Reinhart Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shelton 57 Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Bray 84 Copeland Hartzler 124 Hohulin Holand

McLuckie Murphy Overschmidt Relford Reynolds

Shear Shields Van Zandt

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Stroker moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

CCR HS HCS SB 487, as amended, relating to towing, was taken up by Representative Auer.

Representative Ladd Stokan raised a point of order that the language in the Conference Committee Report exceeds the differences on page 26 of the Conference Committee Substitute.

Representative Auer made a substitute motion to exceed the differences if necessary, and adopt **CCR HS HCS SB 487, as amended**.

Which motion was defeated by the following vote:

AYES: 044

Auer Barry 100 Bauer Bonner Boucher

Bray 84 Campbell Clayton Copeland Crump

Davis 122 Davis 63 Fitzwater Foley Fritts

Green Hilgemann Hoppe Johnson Kennedy

Lakin Lawson Legan May 108 Mays 50

McLuckie Murphy Murray O'Connor O'Toole

Overschmidt Relford Reynolds Rizzo Scheve

Seigfreid Shelton 57 Skaggs Stroker Thomason 163

Treadway Van Zandt Wannenmacher Mr. Speaker

NOES: 105

Akin Alter Backer Ballard Barnett

Bartlett Bennett Berkstresser Bland Boatright

Broach Burton Carter Champion Chrismer

Cierpiot Cooper Crawford Daniel 42 Daniels 41

Days DeMarce Dolan Donovan Edwards-Pavia

Elliott Enz Evans Farnen Ford

Foster Franklin Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Hegeman Hendrickson Holand

Hollingsworth Hosmer Howerton Kasten Kauffman

Kelley 47 Kissell Klindt Koller Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble McBride McClelland Merideth Miller

Monaco Naeger Nordwald Ostmann Parker

Patek Pouche Purgason Ransdall Reinhart

Richardson Ridgeway Robirds Ross Sallee

Schilling Schwab Scott Sheldon 104 Shields

Smith Steen Stokan Stoll Summers

Surface Thompson 37 Thompson 72 Townley Troupe

Vogel Williams 121 Williams 159 Wilson Wooten

PRESENT: 000

ABSENT WITH LEAVE: 013

Bartelsmeyer Dougherty Heckemeyer Hickey Hohulin

Kelly 27 Kreider Leake Levin Pryor

Secrest Shear Wiggins

VACANCIES: 001

Representative Auer moved that the House refuse to adopt **CCR HS HCS SB 487, as amended,** and request the Senate to grant the House a further conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to

concur in **HS HCS SCS SBs 614, 696, 906, 530, 912 & 914**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS#2 HCS SB 680, as amended** and has taken up and passed **HS#2 HCS SB 680, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 936, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SB 827, as amended**, and has taken up and passed **CCS HS HCS SB 827**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 910**, and has taken up and passed **CCS HCS SS SB 910, as amended**.

MOTIONS

HCS SB 936, as amended, relating to sales and use tax, was taken up by Representative Bray.

Representative Bray moved that the House refuse to recede from its position on **HCS SB 936, as amended,** and grant the Senate a conference.

Which motion was adopted.

HS HCS SCS SBs 614, 696, 906, 530, 912 & 914, as amended, relating to judiciary, was taken up by Representative May (108).

Representative May (108) moved that the House refuse to recede from its position on **HS HCS SCS SBs 614, 696, 906, 530, 912 & 914, as amended,** and grant the Senate a conference.

Which motion was adopted.

BILLS IN CONFERENCE

CCR HS SS#2 SCS SB 632, as amended, relating to health care coverage for children, was taken up by Representative Lakin.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Pryor Purgason Ransdall Reinhart

Relford Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 002

Bennett Patek

PRESENT: 004

Broach Lograsso Loudon Reynolds

ABSENT WITH LEAVE: 009

Copeland Daniel 42 Ford Froelker Hall

Koller Richardson Shear Troupe

VACANCIES: 001

Representative Backer moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Auer Backer Barry 100 Bartlett Bauer
Bland Boucher Bray 84 Campbell Carter
Clayton Copeland Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dougherty
Farnen Fitzwater Foley Franklin Fritts
Graham 24 Gratz Green Gunn Hagan-Harrell
Harlan Heckemeyer Hickey Hilgemann Hollingsworth
Hoppe Hosmer Johnson Kelly 27 Kennedy
Kissell Koller Kreider Lakin Lawson
Leake Liese Luetkenhaus May 108 Mays 50
McBride McLuckie Monaco Murray O'Connor
O'Toole Overschmidt Parker Ransdall Relford
Reynolds Rizzo Scheve Schilling Seigfreid
Shelton 57 Skaggs Smith Stokan Stoll
Stroker Thomason 163 Thompson 37 Thompson 72 Treadway
Troupe Van Zandt Wiggins Williams 121 Williams 159
Wilson Mr. Speaker

NOES: 077

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Burton
Champion Chrismer Cierpiot Cooper Crawford
Dolan Donovan Edwards-Pavia Elliott Enz
Evans Foster Froelker Gaskill Gaston
Gibbons Graham 106 Griesheimer Gross Hall
Hartzler 123 Hartzler 124 Hegeman Hendrickson Hohulin
Holand Howerton Kasten Kauffman Kelley 47
Klindt Legan Levin Linton Lograsso
Long Loudon Marble McClelland Merideth
Miller Murphy Naeger Nordwald Ostmann
Patek Pouche Pryor Purgason Reinhart
Richardson Ridgeway Robirds Ross Sallee
Schwab Scott Secrest Sheldon 104 Shields
Steen Summers Surface Townley Vogel
Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 003

Bonner Ford Shear

VACANCIES: 001

On motion of Representative Lakin, **CCR HS SS#2 SCS SB 632, as amended**, was adopted by the following vote:

AYES: 097

Auer Backer Barry 100 Bartlett Bauer
Bland Bonner Boucher Bray 84 Campbell
Carter Clayton Cooper Copeland Crump
Davis 122 Davis 63 Days DeMarce Donovan
Dougherty Elliott Farnen Fitzwater Foley
Franklin Fritts Graham 106 Graham 24 Gratz
Green Gunn Hagan-Harrell Harlan Hartzler 123
Heckemeyer Hickey Hilgemann Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelly 27 Kennedy Kissell Koller Kreider
Lakin Lawson Leake Legan Liese
Luetkenhaus May 108 Mays 50 McBride McClelland
McLuckie Monaco Murphy Murray O'Connor
O'Toole Ostmann Overschmidt Parker Ransdall
Relford Reynolds Richardson Rizzo Robirds
Scheve Schilling Seigfreid Shelton 57 Shields
Skaggs Smith Stokan Stoll Stroker
Thomason 163 Thompson 37 Thompson 72 Treadway Van Zandt
Wannenmacher Wiggins Williams 121 Williams 159 Wilson
Wooten Mr. Speaker

NOES: 059

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Broach Burton
Champion Chrismer Cierpiot Crawford Dolan
Edwards-Pavia Enz Evans Foster Froelker
Gaston Gibbons Griesheimer Gross Hall
Hartzler 124 Hegeman Hendrickson Hohulin Holand
Kelley 47 Klindt Levin Linton Lograsso
Long Loudon Marble Merideth Miller
Naeger Nordwald Patek Pouche Pryor

Purgason Reinhart Ridgeway Ross Sallee

Schwab Scott Secrest Sheldon 104 Steen

Summers Surface Townley Vogel

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42 Daniels 41 Ford Gaskill Shear

Troupe

VACANCIES: 001

On motion of Representative Lakin, **CCS HS SS#2 SCS SB 632** was truly agreed to and finally passed by the following vote:

AYES: 090

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Clayton Cooper Copeland Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Donovan Dougherty Farnen Fitzwater

Foley Franklin Fritts Graham 24 Gratz

Green Gunn Hagan-Harrell Harlan Hartzler 123

Heckemeyer Hickey Hilgemann Hollingsworth Hoppe

Hosmer Johnson Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Liese Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Monaco Murphy Murray

O'Connor O'Toole Overschmidt Parker Ransdall

Relford Reynolds Rizzo Scheve Schilling

Seigfreid Shelton 57 Skaggs Smith Stokan

Stoll Stroker Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 069

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Crawford Dolan

Edwards-Pavia Elliott Enz Evans Foster

Froelker Gaskill Gaston Gibbons Graham 106

Griesheimer Gross Hall Hartzler 124 Hegeman

Hendrickson Hohulin Holand Howerton Kasten

Kauffman Kelley 47 Klindt Legan Levin

Linton Lograsso Long Loudon Marble

Merideth Miller Naeger Nordwald Ostmann

Patek Pouche Pryor Purgason Reinhart

Richardson Ridgeway Robirds Ross Sallee

Schwab Secrest Sheldon 104 Shields Steen

Summers Surface Townley Vogel

PRESENT: 000

ABSENT WITH LEAVE: 003

Ford Scott Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hosmer, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

CONFERENCE COMMITTEE REPORT

ON

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILLS NOS. 1601, 1591, 1592, 1479 & 1615

AND

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILLS NOS. 1094, 1213, 1311 & 1428

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and its position on House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428;

2. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428, as amended;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1601, 1591, 1592, 1479 & 1615 and House Committee Substitute for House Bills Nos. 1094, 1213, 1311 & 1428 be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Joseph Treadway /s/ John E. Scott

/s/ Joan Barry /s/ Harold L. Caskey

/s/ James Foley /s/ James L. Mathewson

/s/ Charles Nordwald /s/ Betty Sims

/s/ Daniel Hegeman

CONFERENCE COMMITTEE REPORT

ON

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE SUBSTITUTE

FOR

HOUSE BILL NO. 1694

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1694, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Bill No. 1694, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1694, as amended;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1694 be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Ted Farnen /s/ Joe Maxwell

/s/ Tim Harlan /s/ Harold L. Caskey

/s/ Steve Gaw /s/ William P. McKenna

/s/ Norma Champion /s/ Francis E. Flotron

/s/ Don Summers /s/ Morris Westfall

CONFERENCE COMMITTEE REPORT

ON

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1683

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Bill No. 1683, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 1683;

2. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1683, as amended;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1683 be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Rodger Fitzwater /s/ Harold Caskey

/s/ Rita Days /s/ John Scott

/s/ Randall Relford /s/ John Schneider

/s/ Emmy McClelland /s/ Larry Rohrbach

/s/ Charles Pryor /s/ Roseann Bentley

CONFERENCE COMMITTEE REPORT

ON

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

SENATE BILL NO. 910

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Committee Substitute for Senate Substitute for Senate Bill No. 910; begs leave to report that we, after free and

fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 910;

2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 910;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 910 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Patrick Dougherty /s/ Harold Caskey

/s/ Marsha Campbell /s/ William P. McKenna

/s/ Ralph A. Monaco /s/ John Scott

/s/ Luann Ridgeway /s/ Morris Westfall

/s/ Michael R. Gibbons /s/ Anita Yeckel

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bills:

HCS SB 936: Representatives Bray, Van Zandt, Schilling, Gibbons and Hegeman

HS HCS SCS SB 614, 696, 906, 530, 912 & 914: Representatives May (108), Monaco, O'Toole, Richardson and Summers

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on HS HCS SCS SBs 614, 696, 906, 530, 912 & 914, as amended: Senators McKenna, Schneider, Scott, Flotron and Russell.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on HS SB 743, as amended: Senators Maxwell, Caskey, Mathewson, Childers and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on HCS SB 936, as amended: Senators Quick, Wiggins, Schneider, Flotron and Russell.

On motion of Representative Backer, the House recessed until 1:45 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joshua Fu, Elizabeth Moore, and Jeremy Heslin.

RESOLUTIONS

Representative Hartzler (124) offered House Resolution No. 1521, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 1522, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Summers offered House Resolution No. 1523, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 1524, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fritts offered House Resolution No. 1525, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 1526, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution No. 1527 through House Resolution No. 1529, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boatright offered House Resolution No. 1530, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Broach offered House Resolution No. 1531, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 1532, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 1533, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Pryor and Legan offered House Resolution No. 1534, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Parker offered House Resolution No. 1535, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 1536, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Heckemeyer offered House Resolution No. 1537 and House Resolution No. 1538, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Skaggs and Lakin offered House Resolution No. 1539, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 1540, which was referred to the Committee on Miscellaneous Bills and Resolutions.

BILLS IN CONFERENCE

CCR HB 1301, as amended, relating to taxation, was taken up by Representative Campbell.

On motion of Representative Campbell, CCR HB 1301, as amended, was adopted by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Rizzo Robirds Ross Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Summers Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnett Barry 100 Crawford Donovan Fritts

Hall Hilgemann Long Ridgeway Sallee

Scheve Shear Sheldon 104 Stroker Surface

VACANCIES: 001

On motion of Representative Campbell, CCS HB 1301 was read the third time and passed by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Crawford Donovan Fritts Hall Hilgemann

Scheve Shear Sheldon 104 Stroker

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Monaco moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

CCR HS HCS SB 827, as amended, relating to economic development, was taken up by Representative Rizzo.

On motion of Representative Rizzo, CCR HS HCS SB 827, as amended, was adopted by the following vote:

AYES: 105

Auer Backer Barry 100 Bartelsmeyer Bartlett

Bauer Bennett Berkstresser Bland Bonner

Boucher Bray 84 Burton Campbell Carter

Champion Chrismer Cierpiot Cooper Copeland

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Donovan Dougherty Farnen

Fitzwater Foley Ford Franklin Fritts

Graham 106 Graham 24 Gratz Green Gunn

Hagan-Harrell Hartzler 123 Heckemeyer Hegeman Hickey

Hilgemann Hollingsworth Hoppe Hosmer Johnson

Kauffman Kennedy Kissell Koller Kreider

Lakin Lawson Leake Liese Lograsso

Luetkenhaus May 108 Mays 50 McBride McLuckie

Monaco Murray O'Connor O'Toole Overschmidt

Parker Pouche Pryor Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Ross Scheve Scott Seigfreid Shelton 57

Skaggs Smith Steen Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wooten Mr. Speaker

NOES: 049

Akin Alter Ballard Barnett Boatright

Broach Clayton Crawford Dolan Edwards-Pavia

Elliott Enz Evans Foster Froelker

Gaskill Gaston Gibbons Griesheimer Gross

Hall Hartzler 124 Hendrickson Holand Howerton

Kasten Kelly 27 Klindt Levin Linton

Long Loudon Marble McClelland Merideth

Miller Murphy Naeger Nordwald Patek

Purgason Robirds Schilling Schwab Secrest

Sheldon 104 Stokan Townley Wilson

PRESENT: 000

ABSENT WITH LEAVE: 008

Harlan Hohulin Kelley 47 Legan Ostmann

Sallee Shear Shields

VACANCIES: 001

On motion of Representative Rizzo, CCS HS HCS SB 827 was truly agreed to and finally passed by the following vote:

AYES: 134

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Cooper Copeland Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Hartzler 123 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Hollingsworth Hoppe Hosmer Howerton Johnson

Kauffman Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Levin

Liese Lograsso Long Luetkenhaus May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Pouche

Pryor Purgason Ransdall Relford Reynolds

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Skaggs Smith

Steen Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 022

Akin Ballard Boatright Clayton Edwards-Pavia

Evans Gaskill Gaston Gibbons Hartzler 124

Holand Kelly 27 Legan Linton Loudon

Marble Murphy Nordwald Patek Richardson

Stokan Townley

PRESENT: 000

ABSENT WITH LEAVE: 006

Harlan Kasten Kelley 47 Reinhart Shear

Shields

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Reynolds, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS HB 1507, entitled:

An act to repeal sections 143.221, 143.521, 144.080, 144.655 and 147.010, RSMo 1994, and section 144.014, RSMo Supp. 1997, relating to the filing requirements for certain tax returns and payments, and to enact in lieu thereof six new sections relating to the same subject.

With Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14 and Senate Amendment No. 15.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, Page 1, Section A, Line 5, by inserting immediately after said line the following:

"135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) "Claimant", a person or persons claiming a credit [under] pursuant to sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax or pharmaceutical tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) "Disabled", the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) "Gross rent", amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then [he] the director shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) "Homestead", the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession [under] pursuant to a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if [he] the claimant was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

(5) "Income", Missouri adjusted gross income as defined in section 143.121, RSMo, less two thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received [under] pursuant to this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

(6) "Prescription drugs", prescription drugs ordered by a licensed physician, and any insulin and syringes and needles used to administer the insulin;

[(6)] (7) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part;

[(7)] (8) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year.

135.015. Procedural matters related to filing a claim [under] pursuant to sections 135.010 to 135.030, including refunds, deficiencies, interest, contents of returns, limitations, and penalties shall be determined pursuant to sections 143.481 to [143.996] 143.1012, RSMo, applicable to the income tax. The credit regarding the property taxes or pharmaceutical expenses of a calendar year may only be claimed on a return for the calendar year or for a claimant's return for a fiscal year that includes the end of the calendar year.

135.020. A credit for property taxes and pharmaceutical expenses shall be allowed for the amount provided in section 135.030. If the amount allowable as a credit exceeds the income tax reduced by other credits, then the excess shall be considered an overpayment of the income tax.

135.030. 1. As used in this section:

(1) The term "maximum upper limit" shall, in the calendar year 1989, be the sum of thirteen thousand five hundred dollars. For each calendar year through December 31, 1992, the maximum upper limit shall be increased by five hundred dollars per year. For each calendar year after December 31, 1992, the maximum upper limit shall be the sum used on December 31, 1992;

(2) The term "minimum base" shall, in the calendar year 1989, be the sum of five thousand dollars. For each succeeding calendar year through December 31, 1992, the minimum base shall be increased, in one-hundred-dollar increments, by the same percentage as the increase in the general price level as measured by the Consumer Price Index for all urban consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor, or its successor agency, or five percent, whichever is greater. The increase in the index shall be that as first published by the Department of Labor for the calendar year immediately preceding the year in which the minimum base is calculated. For each calendar year after December 31, 1992, the minimum base shall be the sum used on December 31, 1992.

2. When calculating the minimum base for purposes of this section, whenever the increase in the Consumer Price Index used in the calculation would result in a figure which is greater than one one-hundred-dollar increment but less than another one-hundred-dollar increment, the director of revenue shall always round that figure off to the next higher one-hundred-dollar increment when determining the table of credits [under] pursuant to this section.

3. If the income on a return is equal to or less than the maximum upper limit for the calendar year for which the return is filed, the property tax credit shall be determined from a table of credits based upon the amount by which the total property tax described in section 135.025 exceeds the percent of income in the following list:

If the income on the return is:	The percent is:
Not over the minimum base	0 percent with credit not to exceed actual property tax or rent equivalent paid up to $750

Over the minimum base but 1/8 percent accumulative

not over the maximum upper per $200 from 0 percent to 2 percent; 1/4 percent

limit accumulative per $200 from

2 percent to 4 percent.

The director of revenue shall prescribe a table based upon the preceding sentences. The property tax shall be in increments of twenty-five dollars and the income in increments of two hundred dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the basis of the property tax and income at the midpoints of each increment. As used in this subsection, the term "accumulative" means an increase by continuous or repeated application of the percent to the income increment at each two-hundred-dollar level.

4. The pharmaceutical credit allowed pursuant to sections 135.010 to 135.030 shall be equal to the total amount spent on purchasing prescription drugs in any calendar year less any reimbursement from other sources and less one percent of income as defined in section 135.010. The pharmaceutical credit allowed a claimant pursuant to sections 135.010 to 135.030 shall not exceed seven hundred fifty dollars. A claimant's spouse residing at the same address as claimant shall also be eligible for the pharmaceutical credit and any such eligible spouse shall calculate such credit using the same income as that used by the claimant."; and

Further amend said bill, page 14, section 147.010, line 21, by inserting immediately after said line the following:

"Section B. The provisions of section 135.010 shall become effective January 1, 1999."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, Page 1, Section A, Line 5, by inserting immediately after said line the following:

"137.102. 1. This act shall be known and may be cited as "The Missouri Homestead Preservation Act".

2. Notwithstanding any other provision of law to the contrary, the assessed value of residential property, excluding any value added by new construction or improvements, owned by any person who is under the age of sixty-five years and using the property as a homestead, or owned by any person who is sixty-five years of age or older who has resided on such property for a period of less than five years, shall not increase during any two-year reassessment period by more than the consumer price index or five percent, whichever is less.

3. The assessed value of residential property, excluding any value added by new construction or improvements, owned by any person who is sixty-five years of age or older and who has used that property as a homestead for a period of five years or longer shall not increase during the period of time that person resides on that property after attaining the age of sixty-five years. Any homestead property taken or condemned through judicial proceeding by the United States, or by any political subdivision of the state of Missouri shall exempt the owner of said homestead property under this subsection from the five-year residency eligibility requirement. Age and years of residence for purposes of this section shall be determined as of January 1 of each odd-numbered year; provided, however, that such information shall be provided by affidavit of the owner of homestead property by such date to the county assessor.

4. All revenue losses of any political subdivision resulting from the limitation on assessed valuations contained in this section shall be reimbursed to those political subdivisions by the state of Missouri through appropriations. Data substantiating revenue losses resulting from the limitation on assessed valuations as contained in this section shall be provided to the state auditor in such form as shall be prescribed by the state auditor by rule pursuant to chapter 536, RSMo. The required data shall be submitted for each political subdivision levying a property tax and shall be submitted by either the county or the individual taxing authority as requested by the state auditor. Calculation or verification of the revenue loss shall be determined by the state auditor subsequent to the annual property tax rate review completed pursuant to section 137.073. All data and documents substantiating the revenue loss for each political subdivision shall be copied to each county clerk respectively and shall be retained and made available for public inspection by the county for a minimum of three years. Whenever a taxpayer in a taxing jurisdiction has cause to believe that the taxing jurisdiction has not complied with the provisions of this section, the taxpayer shall have legal standing to bring a civil action to determine and require compliance with this section."; and

Further amend said bill, page 14, section 147.010, line 21, by inserting immediately thereafter said line the following:

"Section B. Section 137.102 of this act shall become effective January 1, 1999."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, Page 1, Section A, Line 5 of said page, by inserting immediately after said line the following:

"92.336. The revenues received from the tax authorized [under] pursuant to sections 92.325 to 92.340 shall be used exclusively for the advertising and promotion of convention and tourism business for the city from which it is collected, subject to the following requirements:

(1) Not less than [thirty] forty percent of the proceeds of any tax imposed [under] pursuant to subdivision (1) of section 92.327 shall be appropriated and paid to a general not for profit organization, with whom the city has contracted, and which is incorporated in the state of Missouri and located within the city limits of such city, established for the purpose of promoting such city as a convention, visitors and tourist center with the balance to be used for operating expenses and capital expenditures, including debt service, for sports, convention, exhibition, trade and tourism facilities located within the city limits of the city;

(2) Not less than ten percent of the proceeds of any tax imposed [under] pursuant to subdivision (1) of section 92.327 shall be appropriated to a fund that hereby shall be established and called the "Neighborhood Tourist Development Fund". Such moneys from [said] such funds shall be paid to not for profit neighborhood organizations with whom the city has contracted, and which are incorporated in the state of Missouri and located within the city limits of such city established for the purpose of promoting such neighborhood through cultural, social, ethnic, historic, educational, and recreational activities in conjunction with promoting such city as a convention visitors and tourist center;

(3) The proceeds of any tax imposed [under] pursuant to subdivision (2) of section 92.327 shall be used by the city only for capital expenditures, including debt service, for sports, convention, exhibition, trade and tourism facilities located within the city limits of the city."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, Page 7, Section 144.014, Line 6, by inserting immediately after said line the following:

"144.071. 1. In all cases where the purchaser of a motor vehicle, trailer, boat or outboard motor rescinds the sale of that motor vehicle, trailer, boat or outboard motor and receives a refund of the purchase price and returns the motor vehicle, trailer, boat or outboard motor to the seller within sixty calendar days from the date of the sale, or returns a motor vehicle to a manufacturer pursuant to section 407.567, RSMo, the sales or use tax paid to the department of revenue shall be refunded to the purchaser upon proper application to the director of revenue.

2. In any rescission whereby a seller reacquires title to the motor vehicle, trailer, boat or outboard motor sold by him and the reacquisition is within sixty calendar days from the date of the original sale, the person reacquiring the motor vehicle, trailer, boat or outboard motor shall be entitled to a refund of any sales or use tax paid as a result of the reacquisition of the motor vehicle, trailer, boat or outboard motor, upon proper application to the director of revenue.

3. Any city or county sales or use tax refunds shall be deducted by the director of revenue from the next remittance made to that city or county.

4. Each claim for refund must be made within one year after payment of the tax on which the refund is claimed, except in cases in which a motor vehicle is returned to the manufacturer pursuant to section 407.567, RSMo.

5. As used in this section, the term "boat" includes all motorboats and vessels as the terms "motorboat" and "vessel" are defined in section 306.010, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, Page 14, Section 147.010, Line 21 of said page, by inserting immediately after said line the following:

"Section 1. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority of chapter 144, RSMo, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after the effective date of this act. All rulemaking authority delegated prior to the effective date of this act is of no force and effect and repealed as of the effective date of this act, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to the effective date of this act. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028, RSMo, to review, to delay the effective date or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to the effective date of this act."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, Page 5, Section 143.521, Line 7, by inserting immediately after all of said line the following:

"143.807. 1. For tax years beginning on or after January 1, 1999, an individual taxpayer whose federal income tax liability was reduced for that taxable year for a claim of right credit pursuant to section 1341 of the Internal Revenue Code shall be allowed a credit against the tax imposed by this chapter, excluding withholding tax imposed by sections 143.191 to 143.265, for an amount equal to the Missouri income tax for the prior taxable year computed without exclusion of such item, or portion thereof, minus the Missouri income tax for the prior taxable year which would result with the exclusion of such item, or portion thereof. To be eligible for the credit, a taxpayer must have filed a Missouri individual income tax return for both the year in which the income was received and for the year in which a federal income tax credit was received due to a claim of right.

2. The credit is considered to be a payment of tax on the last day prescribed by law for the payment of tax for the taxable year in which the credit is claimed. If an overpayment occurs as a result of claiming the credit, a refund or credit shall be made in the same manner as if it were an overpayment for such taxable year."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, Page 14, Section 147.010, Line 21 of said page, by inserting immediately after said line the following:

"311.554. 1. In addition to the charges imposed by section 311.550, there shall be paid to and collected by the director of revenue for the privilege of selling wine, an additional charge of six cents per gallon or fraction thereof. The additional charge shall be paid and collected in the same manner and at the same time that the charges imposed by section 311.550 are paid and collected.

2. The revenue derived from the additional charge imposed by subsection 1 shall be deposited by the state treasurer to the credit of a separate account in the marketing development fund created by section 261.035, RSMo. Moneys to the credit of the account shall be appropriated annually for use by the division of the state department of agriculture concerned with market development in developing programs for growing, selling, and marketing of grapes and grape products grown in Missouri, including all necessary funding for the employment of experts in the fields of viticulture and enology as deemed necessary, and programs aimed at improving marketing of all varieties of grapes grown in Missouri; and shall be appropriated and used for no other purpose.

[3. This section shall become effective January 1, 1984, and shall terminate on October 1, 2001.]"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1507, Page 1, Section A, Line 5, by inserting immediately after all of said line the following:

"143.131. 1. The Missouri standard deduction may be deducted in determining Missouri taxable income of a resident individual unless the taxpayer or his spouse has elected to itemize his deduction as provided in section 143.141.

2. The Missouri standard deduction shall be the allowable federal standard deduction, increased to the extent not otherwise deductible by the taxes for the same taxable year for which the return is being filed that are imposed by section 3101 of the Internal Revenue Code, relating to the tax on employees under the Federal Insurance Contributions Act, by sections 3201 and 3211, relating to the taxes on railroad employees and railroad employee representatives under the Railroad Retirement Act, and by section 1401, relating to tax on self-employment income, to the extent that such taxes were not deducted in the computation of the taxpayer's federal adjusted gross income under the Internal Revenue Code of 1986, as amended."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, Page 6, Section 144.014, Line 2, by deleting "fifty" and inserting in lieu thereof the word "eighty".

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, Page 5, Section 144.014, Line 22, by inserting after the word "Sales" the following: "and except for food which is primarily produced for consumption at home".

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, page 1, Section A, Line 5 of said page, by inserting after all of said line the following:

"135.501. 1. As used in this section, the following terms shall mean:

(1) "Motor vehicle", any motor vehicle which is owned by one or more individuals and which is primarily used for non-business purposes;

(2) "Personal property tax", any tax assessed and levied on tangible personal property pursuant to the provisions of chapter 137, RSMo;

(3) "State tax liability", any liability of an individual taxpayer pursuant to the provisions of chapter 143, RSMo.

2. For the tax year beginning on or after January 1, 1999, but before January 1, 2000, an individual taxpayer shall be allowed a credit against his or her state tax liability for twenty-five percent of the amount of any personal property tax paid, during the calendar year for which the income tax return is being filed, on motor vehicles owned by that taxpayer. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed. For the tax year beginning on or after January 1, 2000, but before January 1, 2001, an individual taxpayer shall be allowed a credit against his or her state tax liability for fifty percent of the amount of any personal property tax paid, during the calendar year for which the income tax return is being filed, on motor vehicles owned by that taxpayer. For the tax year beginning on or after January 1, 2001, but before January 1, 2002, an individual taxpayer shall be allowed a credit against his or her state tax liability for seventy-five percent of the amount of any personal property tax paid, during the calendar year for which the income tax is being filed, on motor vehicles owned by that taxpayer. For all tax years beginning on or after January 1, 2002, an individual taxpayer shall be allowed a credit against his or her state tax liability for one hundred percent of the amount of any personal property tax paid, during the calendar year for which the income tax return is being filed, on motor vehicles owned by that taxpayer. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability

for the taxable year that the credit is claimed."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, Page 1, Section A, Line 5 of said page, by inserting after said line the following:

"137.100. The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, Page 9, Section 144.080, Line 8, by inserting after said line the following:

"144.517. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and sections 144.600 to 144.745, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 and sections 144.600 to 144.745, all sales of textbooks, as defined by section 170.051, RSMo, when such textbook is purchased for use by a student of any public or private university, college or other postsecondary institution of higher learning offering a course of study leading to a degree in the liberal arts, humanities or sciences or in a professional, vocational or technical field."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 15

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1507, Page 5, Section 143.521, Line 8 of said page, by inserting immediately after said line the following:

"144.010. 1. The following words, terms, and phrases when used in sections 144.010 to 144.510 have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) "Admission" includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.510;

(2) "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.510. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not

constitute engaging in business within the meaning of sections 144.010 to 144.510 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

(3) "Gross receipts", except as provided in section 144.012, means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term "gross receipts" shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.510 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.510 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;

(4) "Livestock", cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, RSMo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

(5) "Motor vehicle leasing company" shall be a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

(6) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state highways and transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(7) "Product" means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state, or in any other state;

(8) "Purchaser" means a person who purchases tangible personal property or to whom are rendered services, receipts from which are taxable under sections 144.010 to 144.510;

[(8)] (9) "Sale" or "sales" includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.510;

[(9)] (10) "Sale at retail" means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.510 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer assisted photo compositions to a purchaser to enable the purchaser to obtain for his own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property. Where necessary to conform to the context of sections 144.010 to 144.510 and the tax imposed thereby, the term "sale at retail" shall be construed to embrace:

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events;

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of service to telephone subscribers and to others through equipment of telephone subscribers for the transmission of messages and conversations, both local or long distance, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the transportation division of the department of economic development of Missouri, engaged in the transportation of persons for hire;

[(10)] (11) "Seller" means a person selling or furnishing tangible personal property or rendering services, on the receipts from which a tax is imposed under section 144.020;

[(11)] (12) The noun "tax" means either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he is required to report his collections, as the context may require.

2. For purposes of the taxes imposed under sections 144.010 to 144.510, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.510 by reference, the term "manufactured homes" shall have the same meaning given it in section 700.010, RSMo.

3. Sections 144.010 to 144.510 may be known and quoted as the "Sales Tax Law"."; **and**

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

MOTIONS

SS SCS HB 1507, as amended, relating to taxation, was taken up by Representative Bray.

Representative Bray moved that the House refuse to adopt SS SCS HB 1507, as amended, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HCS HB 1510, with Senate Amendment No. 1, relating to unclaimed property law, was taken up by Representative Campbell.

On motion of Representative Campbell, the House concurred in Senate Amendment No. 1 by the following vote:

AYES: 160

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Kelley 47 Shear

VACANCIES: 001

On motion of Representative Campbell, HCS HB 1510, as amended, was truly agreed to and finally passed by the following vote:

AYES: 159

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Champion Kelley 47 Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Dougherty moved that the vote by which the bill passed be reconsidered.

Representative Farnen moved that motion lay on the table.

The latter motion prevailed.

BILLS IN CONFERENCE

CCR SS SCS HS HB 1694, as amended, relating to Advantaged Missouri Program, was taken up by Representative Farnen.

On motion of Representative Farnen, CCR SS SCS HS HB 1694, as amended, was adopted by the following vote:

AYES: 129

Auer Backer Barnett Barry 100 Bartelsmeyer

Bartlett Bauer Berkstresser Bland Bonner

Boucher Bray 84 Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Donovan

Dougherty Elliott Farnen Fitzwater Foley

Ford Franklin Fritts Froelker Gaston

Graham 106 Graham 24 Gratz Green Griesheimer

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Leake Legan Liese Long Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Sallee Scheve Schilling Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 021

Akin Alter Ballard Bennett Boatright

Edwards-Pavia Enz Evans Foster Gibbons

Gross Hall Levin Linton Loudon

Marble Murphy Pryor Purgason Schwab

Townley

PRESENT: 000

ABSENT WITH LEAVE: 012

Broach Dolan Gaskill Hohulin Kelley 47

Lawson Lograsso Ridgeway Ross Shear

Sheldon 104 Steen

VACANCIES: 001

Speaker Gaw resumed the Chair.

Representative Backer moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Clayton Copeland Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dougherty Farnen Fitzwater Foley Franklin

Fritts Graham 24 Gratz Green Gunn

Hagan-Harrell Harlan Heckemeyer Hickey Hilgemann

Hollingsworth Hoppe Hosmer Johnson Kelly 27

Kennedy Kissell Kreider Lakin Lawson

Leake Liese Luetkenhaus May 108 Mays 50

McBride McLuckie Merideth Monaco Murray

O'Connor O'Toole Overschmidt Parker Ransdall

Relford Reynolds Rizzo Scheve Schilling

Seigfreid Sheldon 104 Shelton 57 Skaggs Smith

Stokan Stoll Stroker Thomason 163 Thompson 37

Thompson 72 Treadway Troupe Van Zandt Wiggins

Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 071

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Crawford

Dolan Donovan Edwards-Pavia Enz Evans

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Griesheimer Gross Hall Hartzler 123

Hartzler 124 Hegeman Hendrickson Holand Howerton

Kasten Kauffman Klindt Legan Levin

Linton Lograsso Long Loudon Marble

McClelland Miller Murphy Naeger Nordwald

Ostmann Patek Pouche Pryor Reinhart

Richardson Ridgeway Robirds Ross Sallee

Schwab Scott Secrest Shields Steen

Summers Surface Townley Vogel Wannenmacher

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 007

Elliott Ford Hohulin Kelley 47 Koller

Purgason Shear

VACANCIES: 001

On motion of Representative Farnen, CCS SS SCS HS HB 1694 was read the third time and passed by the following vote:

AYES: 123

Auer Backer Barnett Barry 100 Bartlett

Bauer Bland Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Farnen Fitzwater Foley Ford Franklin

Fritts Froelker Gaston Graham 106 Graham 24

Gratz Green Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hickey

Hilgemann Holand Hollingsworth Hoppe Hosmer

Johnson Kasten Kauffman Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Liese Long

Luetkenhaus May 108 Mays 50 McBride McLuckie

Merideth Miller Monaco Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Ransdall Reinhart Relford

Reynolds Richardson Rizzo Robirds Sallee

Scheve Schilling Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 036

Akin Alter Ballard Bartelsmeyer Bennett

Berkstresser Boatright Chrismer Edwards-Pavia Elliott

Enz Evans Foster Gaskill Gibbons

Griesheimer Gross Hall Hendrickson Hohulin

Howerton Levin Linton Lograsso Loudon

Marble Murphy Nordwald Pryor Purgason

Ridgeway Ross Schwab Scott Secrest

Townley

PRESENT: 000

ABSENT WITH LEAVE: 003

Kelley 47 McClelland Shear

VACANCIES: 001

Speakr Gaw declared the bill passed.

On motion of Representative Hickey, title to the bill was agreed to.

Representative Johnson moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HB 1683, as amended, relating to alternative education placement hearings, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, CCR SCS HB 1683, as amended, was adopted by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Chrismer Cierpiot Clayton Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Kasten Kauffman Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Champion Cooper Edwards-Pavia Foley Johnson

Kelley 47 Leake Sallee Shear Troupe

VACANCIES: 001

On motion of Representative Fitzwater, CCS SCS HB 1683 was read the third time and passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Kasten Kauffman

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Purgason Ransdall Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Crawford Donovan Foley Johnson Kelley 47

Legan Pryor Reinhart Shear Troupe

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Parker, title to the bill was agreed to.

Representative Riback Wilson moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House a further conference on HS HCS SB 487, as amended.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS HS HCS HBs 1147, 1435, 1050, 1186 & 1108, entitled:

An act to repeal sections 195.211, 195.222, 195.223, 195.233, 195.420, 217.362, 311.720, 544.376, 568.045 and 569.085, RSMo 1994, and sections 195.010, 195.040, 195.060, 195.100, 195.197, 195.400, 195.410, and 570.030, RSMo Supp. 1997, and to enact in lieu thereof twenty-seven new sections for the purpose of addressing the controlled substances problem, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like committee from the House on HS HCS SB 487, as amended: Senators Goode, Clay, Mathewson, Childers and Westfall.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HS SB 743: Representatives Hoppe, Foley, Mays (50), Griesheimer and Ross

HS HCS SB 487: Representatives Auer, Fritts, O'Connor, Legan and Burton

MOTIONS

SCS HB 1668, as amended, relating to emergency responders, was taken up by Representative Hosmer.

On motion of Representative Hosmer, SCS HB 1668, as amended, was adopted by the following vote:

AYES: 153

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Kasten

Kauffman Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Foley Ford Johnson Kelley 47 Lograsso

Patek Ridgeway Shear Troupe

VACANCIES: 001

On motion of Representative Hosmer, SCS HB 1668, as amended, was truly agreed to and finally passed by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hall

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Kasten

Kauffman Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Ridgeway Rizzo

Robirds Ross Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Van Zandt Vogel

Wannenmacher Wiggins Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Donovan Foley Johnson Kelley 47 McClelland

Richardson Sallee Shear Steen Troupe

Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Heckemeyer moved that the vote by which the bill passed be reconsidered.

Representative Boucher moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1302, as amended, relating to health care providers, was taken up by Representative Bland.

SCS HB 1302, as amended, was laid over.

BILL IN CONFERENCE

CCR#2 HCS SB 778, relating to property tax collection, was taken up by Representative Hoppe.

On motion of Representative Hoppe, CCR#2 HCS SB 778 was adopted by the following vote:

AYES: 149

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Bonner Bray 84 Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 124 Heckemeyer Hegeman

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 009

Akin Ballard Boatright Broach Ford

Hendrickson Murphy Reinhart Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 004

Boucher Hartzler 123 Kelley 47 Shear

VACANCIES: 001

On motion of Representative Hoppe, CCS#2 HCS SB 778 was truly agreed to and finally passed by the following vote:

AYES: 143

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Burton

Campbell Carter Champion Cierpiot Clayton

Cooper Copeland Crawford Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Pouche Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Scheve Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 010

Akin Ballard Boatright Broach Chrismer

Ford Gross Linton Murphy Purgason

PRESENT: 000

ABSENT WITH LEAVE: 009

Foley Hartzler 124 Kelley 47 Patek Pryor

Sallee Shear Sheldon 104 Shields

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

SCS SB 561, with House Committee Amendment No. 1, relating to utility billing procedure, was taken up by Representative Boucher.

Representative Boucher offered HS SCS SB 561.

Representative Boucher offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 561, Page 1, In the Title, Line 5, by deleting the word "six" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 11, by deleting the word "six" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 13, by deleting the word and number "and 1" and inserting in lieu thereof the following: ", 1, 2 and 3"; and

Further amend said bill, Page 9, Section 1, Line 3, by inserting after all of said line the following:

"Section 2. 1. As used in this section, the following terms mean:

(1) "Blind persons/visually impaired persons", individuals who:

(a) Have a visual acuity of 20/200 or less in the better eye with conventional correction, or have a limited field of vision such that the widest diameter of the visual field subtends an angular distance not greater than twenty degrees; or

(b) Have a reasonable expectation of visual deterioration;

(2) "Student", any student who is blind or any student eligible for special education services for visually impaired as defined in P.L. 94-142;

(3) "Vision specialist in education", any individual certified as an instructor of the blind and visually impaired and has reasonable knowledge of assistive techniques, skills and technology. These may include, but are not limited to braille, cane travel and assistive computer technology.

2. The division of special education within the department of elementary and secondary education shall develop a program to provide a vision specialist in education, available at each regional professional development center.

3. The role of the vision specialist in education is as follows:

(1) To act as a resource providing direct service to the school districts under the regional office of professional development with regard to children who are visually impaired;

(2) To make recommendations to schools using assessments and information, as provided by Missouri school for the blind;

(3) To oversee a short-term assistive technology equipment loan program for the region;

(4) To maintain a list of all qualified personnel and paraprofessionals within the region who work with visually impaired students;

(5) To see that the overall educational needs of visually impaired students are met.

4. There is hereby created in the state treasury the "Vision Specialist in Education Fund" which shall be administered by the division of special education within the department of elementary and secondary education. Moneys in the fund shall, upon appropriation, be used to establish and maintain the vision specialist in education program pursuant to subsection 2 of this section.

Section 3. 1. As used in this section, the following terms mean:

(1) "Assistive computing technology/computer-aided reading", the adapted speech-output system for reading through use of a computer and a speech synthesizer;

(2) "Blind persons", individuals who:

(a) Have a visual acuity of 20/200 or less in the better eye with conventional correction, or have a limited field of vision such that the widest diameter of the visual field subtends an angular distance not greater than twenty degrees; or

(b) Have a reasonable expectation of visual deterioration; or

(c) Cannot read printed material at a competitive rate of speed and with facility due to lack of visual acuity;

(3) "Student", any student who is blind or any student eligible for special education services for visually impaired as defined in P.L. 94-142.

2. All students may receive instruction in assistive computing technology reading as part of their individualized education plan. No student shall be denied the opportunity of instruction in computer-aided reading solely because the student has some remaining vision.

3. Instruction in assistive computing technology shall be sufficient to enable each student to communicate effectively and efficiently at a level commensurate with his sighted peers of comparable grade level and intellectual functioning. Assistive computing technology is not an alternative to instruction of braille skills, but a necessary supplement. The student's individualized education plan shall specify:

(1) How assistive computing technology will be implemented as a supplementary mode for learning through integration with normal classroom activities. If computer-aided reading will not be provided to a child who is blind, the reason for not incorporating it in the individualized education plan shall be documented therein;

(2) The date on which the instruction will commence;

(3) The level of competency in reading to be achieved by the end of the period covered by the individualized education plan; and

(4) The duration of each session.".

On motion of Representative Boucher, House Amendment No. 1 was adopted.

Representative Carter offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 561, Page 1, In the Title, Lines 3 to 6 of said page, by deleting all of said lines and inserting in lieu thereof the following: "and 191.859, RSMo 1994, and to enact in lieu thereof eleven new sections for the purpose of regulating utilities and their merchandising practices, with an"; and

Further amend said bill, Page 1, Section A, Line 11 of said page, by deleting the word "six" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 13 of said page, by inserting immediately before "and 1" the following: ", 386.754, 386.756, 386.760, 386.762, 386.764"; and

Further amend said bill, Page 8, Section 191.863, Line 15 of said page, by inserting after all of said line the following:

"386.754. For the purposes of sections 386.754 to 386.764, the following terms mean:

(1) "Affiliate", any entity not regulated by the public service commission which is owned, controlled by or under common control with a utility and is engaged in HVAC services;

(2) "HVAC services", the warranty, sale, lease, rental, installation, construction, modernization, retrofit, maintenance or repair of heating, ventilating and air conditioning equipment;

(3) "Utility", an electrical corporation, gas corporation or heating company as defined in section 386.020;

(4) "Utility contractor", a person, including an individual, corporation, firm, incorporated or unincorporated association or other business or legal entity, that contracts, whether in writing or not in writing, with a utility to engage in or assist any entity in engaging in HVAC services, but does not include employees of a utility.

386.756. 1. Except by an affiliate, a utility shall not engage in HVAC services, unless otherwise provided in subsection 7 or 8 of this section.

2. No affiliate or utility contractor shall use any vehicles, service tools, instruments, employees or any other utility assets, the cost of which are recoverable in the regulated rates for utility service, to engage in HVAC services unless the utility is compensated for the use of such assets at cost to the utility.

3. A utility shall not use or allow any affiliate or utility contractor to use the name of such utility to engage in HVAC services unless the utility, affiliate or utility contractor discloses in plain view and in bold type on the same page as the name is used on all advertisements or in plain audible language during all solicitations of such services a disclaimer that states the services provided are not regulated by the public service commission.

4. A utility shall not engage in or assist any affiliate or utility contractor in engaging in HVAC services in a manner which subsidizes the activities of such utility, affiliate or utility contractor to the extent of changing the rates or charges for the utility's regulated services above or below the rates or charges that would be in effect if the utility were not engaged in or assisting any affiliate or utility contractor in engaging in such activities.

5. Any affiliates or utility contractors engaged in HVAC services shall maintain accounts, books and records separate and distinct from the utility.

6. The provisions of this section shall apply to any affiliate or utility contractor engaged in HVAC services that is owned, controlled or under common control with a utility providing regulated utility service in this state or any other state.

7. A utility engaging in HVAC services in this state five years prior to August 28, 1998, may continue providing to existing, as well as new, customers the same type of services as those provided five years prior to August 28, 1998.

8. The provisions of this section shall not be construed to prohibit a utility from providing emergency service, providing any service required by law or providing a program pursuant to an existing tariff, rule or order of the public service commission.

9. A utility that violates any provision of this section is guilty of a civil offense and may be subject to a civil penalty of up to twelve thousand five hundred dollars for each violation.

386.760. 1. The public service commission shall have full authority to administer and ensure compliance with sections 386.754 to 386.764 provided that the commission shall not impose by rule or otherwise, requirements regarding HVAC services that are inconsistent with or in addition to those set forth in sections 386.754 to 386.764 or with requirements set forth in section 386.315.

2. No rule or portion of a rule promulgated pursuant to the provisions of sections 386.754 to 386.764 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

386.762. The public service commission shall have authority to:

(1) Review, inspect and audit books, accounts and other records kept by a utility or affiliate for the sole purpose of ensuring compliance with sections 386.754 to 386.764 and make findings available to the commission; and

(2) Investigate the operations of a utility or affiliate and their relationship to each other for the sole purpose of ensuring compliance with sections 386.754 to 386.764.

386.764. Nothing in sections 386.754 to 386.764 shall be construed as modifying existing legal standards regarding which party has the burden of proof in commission proceedings.".

Representative Nordwald raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Carter, House Amendment No. 2 was adopted by the following vote:

AYES: 135

Alter Backer Ballard Barry 100 Bartelsmeyer
Bartlett Bauer Berkstresser Bland Boatright
Bonner Boucher Bray 84 Broach Burton
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniel 42
Daniels 41 Davis 122 Davis 63 Days DeMarce
Donovan Dougherty Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Fritts Froelker Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Hagan-Harrell Hartzler 123 Hartzler 124
Heckemeyer Hickey Hilgemann Holand Hollingsworth
Hosmer Howerton Johnson Kasten Kauffman
Kennedy Kissell Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Secrest Seigfreid Sheldon 104 Shelton 57 Shields
Skaggs Smith Stokan Stoll Stroker
Summers Surface Thompson 37 Thompson 72 Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 010

Barnett Campbell Edwards-Pavia Hegeman Klindt
Lograsso Nordwald Pouche Ridgeway Townley

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 016

Akin Auer Bennett Dolan Gunn

Hall Harlan Hohulin Hoppe Kelley 47

Kelly 27 Koller Scott Shear Steen

Thomason 163

VACANCIES: 001

Representative Boucher offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 561, Page 7, Section 191.863, Line 6 deleting the word "assure" and inserting in lieu thereof the word "facilitate"; and

Further amend said bill, page 7, section 191.863, line 12, by deleting the word "assure" and inserting in lieu thereof the word "facilitate"; and

Further amend said bill, page 7, section 191.863, lines 14-22 by deleting all of said lines; and

Further amend said bill, page 8, section 191.863, lines 1-4 by deleting all of said lines; and

Further amend said bill by renumbering the remaining sections accordingly.

On motion of Representative Boucher, House Amendment No. 3 was adopted.

Representative Mays (50) offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 561, Page 1, In the Title, Line 3, by deleting the word and number "and 191.859" and inserting in lieu thereof the following: ", 191.859 and 386.570"; and

Further amend said bill, Page 1, In the Title, Line 5 of said page, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, In the Title, Line 6 of said page, by inserting after the word "with" the following: "penalty provisions and"; and

Further amend said bill, Page 1, Section A, Line 10 of said page, by deleting "and 191.859" and inserting in lieu thereof the following: ", 191.859 and 386.570"; and

Further amend said bill, Page 1, Section A, Line 11 of said page, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 13 of said page, by inserting immediately after the number "191.863" the number ", 386.570"; and

Further amend said bill, Page 8, Section 1, Line 16 of said page, by inserting before all of said line the following:

"386.570. 1. Any corporation, person, municipality which owns a gas plant or public utility which violates or fails to comply with any provision of the constitution of this state or of this or any other law, or which fails, omits or neglects to obey, observe or comply with any order, decision, decree, rule[, direction, demand] or requirement, or any part or provision thereof, of the commission in a case in which a penalty has not herein been provided for such corporation, person, municipality which owns a gas plant, or public utility, is subject to a penalty of not less than one hundred dollars nor more than two thousand dollars for each offense, except to the extent that Section 60105(b)(7) of the Natural Gas Pipeline Safety Act (49 U.S.C., Section 60101 et seq.) requires that state remedies for violations of federal safety standards pursuant to such federal law shall be substantially the same as remedies provided by such law, then the maximum penalties for violations of such federally mandated safety standards, which also constitute violations of the commission's rules, shall be punishable by a penalty of not more than ten thousand dollars for each violation, not to exceed five hundred thousand dollars for any related series of such violations. In determining the amount of the penalty, the nature, circumstances and the gravity of the violation shall be considered and, with respect to the person, corporation, municipality which owns a gas plant or public utility found to have committed the violation, the degree of culpability, any history of prior violations, the effect on the ability to continue operation, and any good faith effort in attempting to achieve compliance, ability to pay the penalty, and such other matters as are relevant shall be considered.

2. Every violation of the provisions of this or any other law or of any order, decision, decree, rule[, direction, demand] or requirement of the commission, or any part or portion thereof, by any corporation [or], person, municipality which owns a gas plant or public utility is a separate and distinct offense, and in case of a continuing violation each day's continuance thereof shall be and be deemed to be a separate and distinct offense.

3. In construing and enforcing the provisions of this chapter relating to penalties, the act, omission or failure of any officer, agent or employee of any corporation, person, municipality which owns a gas plant or public utility, acting within the scope of his official duties of employment, shall in every case be and be deemed to be the act, omission or failure of such corporation, person, municipality which owns a gas plant or public utility.".

On motion of Representative Mays (50), House Amendment No. 4 was adopted.

Representative Mays (50) offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 561, Page 9, Section 1, Line 3 by inserting after all of said section the following:

"Section B. Chapter 190, RSMo, is amended by adding thereto five new sections, to be known as sections 190.400, 190.410, 190.420, 190.430 and 190.440, to read as follows:

190.400. As used in sections 190.400 to 190.440, the following words and terms shall mean:

(1) "911", the primary emergency telephone number within the wireless system;

(2) "Board", the wireless service provider enhanced 911 advisory board;

(3) "Public safety agency", a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;

(4) "Public safety answering point", the location at which 911 calls are initially answered;

(5) "Wireless service provider", a provider of commercial mobile service pursuant to section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).

190.410. 1. There is hereby created in the department of public safety the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of eight members as follows:

(1) The director of the department of public safety or the director's designee who shall hold a position of authority in such department of at least a division director;

(2) The chairperson of the public service commission or the chairperson's designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;

(3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and

(4) Three representatives from public service answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.

2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.

3. The board shall do the following:

(1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;

(2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;

(3) Advise the office of administration regarding implementation of federal communications commission order 94-102; and

(4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision-making authority of any political subdivision in regard to 911 services.

4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.

190.420. 1. There is hereby established in the state treasury a fund to be known as the "Wireless Service Provider Enhanced 911 Service Fund". All fees collected pursuant to sections 190.400 to 190.440 by wireless service providers shall be remitted to the director of the department of revenue. The director shall remit such payments to the state treasurer.

2. The state treasurer shall deposit such payments into the wireless service provider enhanced 911 service fund. Moneys in the fund shall be used for the purpose of reimbursing expenditures actually incurred in the implementation and operation of the wireless service provider enhanced 911 system.

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080, RSMo, relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund.

190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed fifty cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.

2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. All rulemaking authority delegated prior to the effective date of this section is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to the effective date of this section if it fully complied with the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:

(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and

(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:

(a) The volume of wireless 911 calls received by each public safety answering point;

(b) The population of the public safety answering point jurisdiction;

(c) The number of wireless telephones in a public safety answering point jurisdiction by zip code; and

(d) Any other criteria found to be valid by the office of administration;

(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;

(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.

4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.

5. No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.

6. The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of section 190.430, as determined necessary.

7. The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.

8. Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.

190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the voters of this state. The ballot measure shall be submitted by the secretary of state for approval or rejection at the general election held and conducted on the Tuesday immediately following the first Monday in November, 1998, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.

2. The ballot of the submission shall contain, but is not limited to, the following language:

Shall the Missouri office of administration be authorized to establish a fee of up to fifty cents per month to be charged every wireless telephone number for the purpose of funding wireless enhanced 911 service?

Yes No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, 1999, or the first day of the month occurring at least thirty days after the approval of the ballot measure. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.

Section C. Because immediate action is necessary to provide enhanced wireless service to users of 911 emergency services this section is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section B of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Mays (50), House Amendment No. 5 was adopted.

Representative Days offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 561, Page 1, In the title, Line 5 of said page, by deleting the word "six" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 11 of said page, by deleting the word "six" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 13 of said page, by deleting "and 1" and inserting in lieu thereof ", 1, 2 and 3"; and

Further amend said bill, Page 9, Section 1, Line 3 of said page, by inserting after all of said line the following:

"Section 2. 1. If approved by a majority of the voters voting on the proposal, a county of the first classification having a population of over nine hundred thousand inhabitants may, by ordinance, levy and impose annually, upon water service lines providing water service to residential property having four or fewer dwelling units, a fee not to exceed one dollar per month or an equivalent rate collected at some other interval.

2. The ballot of submission shall be substantially of the following form:

For the purpose of repair or replacement of water lines extending from the water main to a residential dwelling due to failure of the line or for road relocation, shall ..... county be authorized to impose a fee not to exceed one dollar per month or an equivalent rate collected at some other interval upon all water service lines providing water service within the county to residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary water service line repairs, replacements or relocations caused by improvements to public right-of-way?

YES NO

3. For the purpose of this section, a water service line may be defined by local ordinance, but may not include the water meter or exceed that portion of water piping and related valves and connectors which extends from the water mains owned by the utility or municipality distributing public water supply to the first opportunity for a connection or joint beyond the point of entry into the premises receiving water service, and may not include facilities owned by the utility or municipality distributing public water supply. For purposes of this section, repair may be defined and limited by local ordinance, and may include replacement, repairs or relocation when made necessary by improvements to public right-of-way.

4. If a majority of the voters voting thereon approve the proposal authorized in subsection 1 of this section, the governing body of the county may enact an ordinance for the collection of such fee. The funds collected pursuant to such ordinance shall be deposited in a special account to be used solely for the purpose of paying for the reasonable costs associated with and necessary to administer and carry out the water service line repairs as defined in the ordinance and, if sufficient revenues are available, to reimburse the necessary costs of water service line repair, replacement or relocation made necessary by public right-of-way improvements.

5. The county may contract with any provider of water service in the county to bill and collect such fees along with bills for water service and to pursue collection of such amounts through discontinuance of service as may be directed by the county. The county may establish, as provided in the ordinance, regulations necessary for the administration of collections, claims, repairs, relocations, replacements and all other activities necessary and convenient for the implementation of any ordinance adopted and approved pursuant to this section. The county may administer the program or may contract with one or more persons, through a competitive process, to provide for administration of any portion of implementation activities of any ordinance adopted and approved pursuant to this section, and reasonable costs of administering the program may be paid from the special account established pursuant to this section.

Section 3. The governing body of any county of the first classification having a population of over nine hundred thousand inhabitants that has assessed a fee pursuant to section 66.405 for three years shall submit to the general assembly of this state a complete financial report which shall include, but not be limited to, the total fees collected by such county pursuant to section 66.405, the funds on hand in such county resulting from the collection of fees pursuant to section 66.405 and the total expenditures of fees collected pursuant to section

66.405 on infrastructure in such county.".

On motion of Representative Days, House Amendment No. 6 was adopted.

Representative Crump offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 561, Page 9, Line 3, by inserting immediately at the end of said line the following:

"217.287. 1. Contracts for collect call telephone services for correctional institutions of the department of corrections shall be awarded to the lowest and the best bidder over the life of the contract, based on call costs to called parties.

2. The division of purchasing of the office of administration may renegotiate any existing contracts for collect call telephone services for correctional institutions of the department of corrections to reduce call costs to called parties."; and,

Further amend said bill by conforming the title and enacting clause accordingly.

Representative Burton raised a point of order that House Amendment No. 7 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Crump, House Amendment No. 7 was adopted.

Representative Barry offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 561, Page 1, In the Title, Line 5 of said page, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 11 of said page, by deleting the word "six" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 13 of said page, by deleting "and 1" and inserting in lieu thereof ", 1 and 2"; and

Further amend said bill, Page 9, Section 1, Line 3 of said page, by inserting after all of said line the following:

"Section 2. The chief clerk of the house of representatives and the secretary of the senate shall collaborate to establish a toll-free telephone number by which citizens of Missouri may contact, without charge, state representatives and senators of the state of Missouri. Such toll-free telephone lines shall be staffed by adequate personnel to efficiently manage incoming calls. Calls to such toll-free telephone number shall be transferred to the state representative or senator that the caller indicates or, if the caller does not know with whom he or she wishes to speak, then the operator receiving the call shall determine the caller's state representative or senator and transfer such call to him or her. The cost of such toll-free telephone number shall be borne equally by the senate and the house of representatives.".

On motion of Representative Barry, House Amendment No. 8 was adopted.

Representative Cooper offered House Amendment No. 9.

House Amendment No. 9 was withdrawn.

On motion of Representative Boucher, HS SCS SB 561, as amended, was adopted.

Representative Burton moved that HS SCS SB 561, as amended, be committed to the Committee on Budget.

Which motion was defeated by the following vote:

AYES: 046

Akin Alter Ballard Bartelsmeyer Bennett
Berkstresser Boatright Burton Champion Chrismer
Cierpiot Cooper Edwards-Pavia Elliott Enz
Evans Froelker Gaskill Gaston Gibbons
Gross Hartzler 124 Hegeman Hendrickson Hohulin
Holand Kauffman Klindt Linton Lograsso
Marble McClelland Nordwald Pouche Purgason
Reinhart Ridgeway Robirds Ross Sallee
Schwab Secrest Shields Surface Townley
Wannenmacher

NOES: 107

Auer Backer Barnett Barry 100 Bartlett
Bauer Bland Bonner Boucher Bray 84
Broach Campbell Carter Copeland Crawford
Crump Daniels 41 Davis 122 Davis 63 Days
DeMarce Dolan Donovan Dougherty Farnen
Fitzwater Foley Ford Foster Franklin
Fritts Graham 106 Graham 24 Gratz Green
Griesheimer Hagan-Harrell Harlan Hartzler 123 Heckemeyer
Hickey Hilgemann Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kelly 27 Kennedy
Kissell Koller Kreider Lakin Lawson
Leake Legan Levin Liese Long
Loudon Luetkenhaus May 108 Mays 50 McBride
McLuckie Merideth Miller Monaco Murphy
Murray Naeger O'Toole Ostmann Overschmidt
Parker Patek Pryor Ransdall Relford
Reynolds Richardson Rizzo Scheve Schilling
Scott Seigfreid Shelton 57 Skaggs Smith
Stokan Stoll Stroker Summers Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Clayton Daniel 42 Gunn Hall Kelley 47

O'Connor Shear Sheldon 104 Steen

VACANCIES: 001

On motion of Representative Boucher, HS SCS SB 561, as amended, was read the third time and passed by the following vote:

AYES: 139

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Campbell Carter

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kauffman Kelly 27 Kissell Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald Ostmann Overschmidt Parker

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Skaggs

Smith Stokan Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 010

Burton Champion Edwards-Pavia Hegeman Klindt

Loudon Marble Patek Pouche Townley

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 012

Hall Kasten Kelley 47 Kennedy Lograsso

O'Connor O'Toole Shear Sheldon 104 Shields

Steen Stoll

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Alter Auer Backer Barnett Barry 100

Bartlett Bauer Bennett Berkstresser Bland

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Elliott Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Gaskill

Gaston Graham 106 Graham 24 Gratz Green

Griesheimer Gunn Hagan-Harrell Harlan Hartzler 123

Heckemeyer Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelly 27 Kennedy Kissell Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Long Luetkenhaus May 108

Mays 50 McBride McClelland McLuckie Monaco

Murphy Murray Naeger O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pryor

Ransdall Relford Reynolds Richardson Rizzo

Robirds Ross Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Skaggs

Smith Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Vogel Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

NOES: 033

Akin Ballard Boatright Champion Chrismer

Cierpiot Edwards-Pavia Enz Froelker Gibbons

Gross Hartzler 124 Hegeman Hendrickson Hohulin

Klindt Linton Lograsso Loudon Marble

Merideth Miller Nordwald Pouche Purgason

Reinhart Ridgeway Sallee Shields Steen

Townley Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 006

Bartelsmeyer Copeland Hall Kelley 47 Shear

Sheldon 104

VACANCIES: 001

On motion of Representative Wiggins, title to the bill was agreed to.

Representative Dougherty moved that the vote by which the bill passed be reconsidered.

Representative Bauer moved that motion lay on the table.

The latter motion prevailed.

Representative Smith assumed the Chair.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 1302, as amended, relating to health care providers, was again taken up by Representative Bland.

Representative Bland again moved that SCS HB 1302, as amended, be adopted.

Representative Shields made a substitute motion that the House refuse to adopt SCS HB 1302, as amended, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Representative Crump raised a point of order that the substitute motion is a negative motion.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Bland, SCS HB 1302, as amended, was adopted by the following vote:

AYES: 139

Akin Alter Backer Ballard Barry 100

Bartelsmeyer Bartlett Bauer Bennett Bland

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Clayton Cooper Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Foley Ford Foster

Franklin Fritts Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Secrest Shelton 57 Shields Skaggs Smith

Steen Stokan Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 013

Auer Barnett Cierpiot Copeland Crawford

Froelker Hendrickson Long Loudon Patek

Pouche Seigfreid Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 010

Berkstresser Fitzwater Hall Kelley 47 Lograsso

Pryor Scott Shear Sheldon 104 Stoll

VACANCIES: 001

Representative Auer moved that SCS HB 1302, as amended, be committed to the Committee on Budget.

Which motion was defeated by the following vote:

AYES: 021

Auer Ballard Barnett Bartelsmeyer Bennett

Boatright Burton Champion Cierpiot Cooper

Crawford Hendrickson Lograsso Loudon Patek

Pouche Relford Ridgeway Rizzo Secrest

Wannenmacher

NOES: 136

Akin Alter Backer Barry 100 Bartlett

Bauer Bland Bonner Boucher Bray 84

Broach Campbell Carter Chrismer Clayton

Copeland Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Pryor Purgason

Ransdall Reinhart Reynolds Richardson Robirds

Ross Sallee Scheve Schilling Schwab

Scott Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser Hall Kelley 47 Shear Sheldon 104

VACANCIES: 001

On motion of Representative Bland, SCS HB 1302, as amended, was truly agreed to and finally passed by the following vote:

AYES: 152

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelly 27 Kennedy Kissell Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 005

Auer Crawford Klindt Loudon Patek

PRESENT: 000

ABSENT WITH LEAVE: 005

Hall Kelley 47 Lograsso Shear Sheldon 104

VACANCIES: 001

Representative Smith declared the bill passed.

On motion of Representative Reynolds, title to the bill was agreed to.

Representative Stroker moved that the vote by which the bill passed be reconsidered.

Representative Skaggs moved that motion lay on the table.

The latter motion prevailed.

BILLS IN CONFERENCE

CCR SCS HS HCS HBs 1601, 1591, 1592, 1479, 1615 and HCS HBs 1094, 1213, 1311 and 1428, relating to professional registration, was taken up by Representative Treadway.

On motion of Reprsentative Treadway, CCR SCS HS HCS HBs 1601, 1591, 1592, 1479, 1615 and HCS HBs 1094, 1213, 1311 and 1428 was adopted by the following vote:

AYES: 139

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Bonner Boucher Bray 84

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Copeland Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Gaskill

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Luetkenhaus Marble May 108

Mays 50 McBride McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Purgason Ransdall Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 017

Akin Boatright Broach Crawford Edwards-Pavia

Froelker Gaston Hohulin Kauffman Lograsso

Loudon McClelland Murphy Pryor Reinhart

Ridgeway Troupe

PRESENT: 000

ABSENT WITH LEAVE: 006

Hall Kelley 47 Long Shear Sheldon 104

Stoll

VACANCIES: 001

On motion of Representative Treadway, CCS SCS HS HCS HBs 1601, 1591, 1592, 1479, 1615 and HCS HBs 1094, 1213, 1311 and 1428 was read the third time and passed by the following vote:

AYES: 136

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crump Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Donovan Dougherty Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Gaskill Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Luetkenhaus Marble May 108 Mays 50 McBride

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Purgason

Ransdall Relford Reynolds Richardson Rizzo

Robirds Ross Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Van Zandt Vogel

Wannenmacher Wiggins Williams 159 Wilson Wooten

Mr. Speaker

NOES: 017

Akin Boatright Crawford Edwards-Pavia Froelker
Gaston Hohulin Kauffman Lograsso Loudon
McClelland Murphy Pryor Reinhart Ridgeway
Sallee Troupe

PRESENT: 000

ABSENT WITH LEAVE: 009

Bauer Copeland Ford Hall Kelley 47
Long Shear Sheldon 104 Williams 121

VACANCIES: 001

Representative Smith declared the bill passed.

On motion of Representative Reynolds, title to the bill was agreed to.

Representative Stroker moved that the vote by which the bill passed be reconsidered.

Representative Skaggs moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider resumed the Chair.

CCR HCS SS SB 910, as amended, relating to child support, was taken up by Representative Dougherty.

On motion of Representative Dougherty, CCR HCS SS SB 910, as amended, was adopted by the following vote:

AYES: 126

Auer Backer Barry 100 Bartelsmeyer Bartlett
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Cierpiot Copeland Crawford
Crump Daniel 42 Daniels 41 Davis 122 Davis 63
Days DeMarce Dolan Donovan Dougherty
Elliott Enz Farnen Foley Ford
Foster Fritts Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Gross
Gunn Hagan-Harrell Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kennedy Kissell Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Long Loudon Luetkenhaus

Mays 50 McBride McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Sallee

Scheve Schilling Schwab Shelton 57 Shields

Skaggs Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 159 Wilson Wooten

Mr. Speaker

NOES: 026

Akin Alter Ballard Barnett Bauer

Chrismer Clayton Cooper Evans Fitzwater

Froelker Griesheimer Kauffman Kelly 27 Klindt

Linton Lograsso Marble May 108 McClelland

Ostmann Robirds Ross Secrest Seigfreid

Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 010

Edwards-Pavia Franklin Hall Harlan Kelley 47

Murphy Scott Shear Sheldon 104 Smith

VACANCIES: 001

On motion of Representative Dougherty, CCS HCS SS SB 910 was read the third time and passed by the following vote:

AYES: 121

Alter Auer Backer Barry 100 Bartelsmeyer

Bartlett Bennett Berkstresser Bland Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Cierpiot Cooper Daniel 42

Daniels 41 Davis 122 Davis 63 Days DeMarce

Dolan Dougherty Elliott Enz Farnen

Foley Foster Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Gross

Gunn Hagan-Harrell Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Kasten Kennedy Kissell Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Long Loudon Luetkenhaus McBride

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Overschmidt Patek Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Sallee Scheve Schilling

Schwab Scott Secrest Shelton 57 Shields

Skaggs Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 159 Wilson Wooten

Mr. Speaker

NOES: 031

Akin Ballard Barnett Bauer Boatright

Chrismer Clayton Crawford Edwards-Pavia Evans

Fitzwater Franklin Fritts Froelker Griesheimer

Johnson Kelly 27 Klindt Linton Lograsso

Marble May 108 Mays 50 McClelland Ostmann

Parker Pouche Ross Seigfreid Smith

Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 010

Copeland Crump Donovan Ford Hall

Harlan Kauffman Kelley 47 Shear Sheldon 104

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Bland, title to the bill was agreed to.

Representative Hoppe moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on SS SCS HB 1507, as amended, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Wiggins, Quick, Schneider, Flotron and Russell.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on SCS HS HCS HBs 1601, 1591, 1592, 1479 & 1615 and HCS HBs 1094, 1213, 1311 & 1428, as amended, and has taken up and passed CCS SCS HS HCS HBs 1601, 1591, 1592, 1479 & 1615 and HCS HBs 1094, 1213, 1311 & 1428.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on HS HCS SB 487, as amended, and has taken up and passed CCS HS HCS SB 487, as amended.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS SCS HB 1507, as amended: Representatives Bray, Van Zandt, Schilling, Gibbons and Hegeman.

THIRD READING OF SENATE BILLS

HCS SS SCS SBs 583 & 645, relating to english as the common language, was taken up by Representative Thomason (163).

Representative Bauer offered House Amendment No. 1.

Representative Thomason (163) raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Graham (24) offered House Amendment No. 1.

Representative Thomason (163) raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Legan offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 583 & 645, Page 3, Section 5, Line 6 by inserting after said line the following:

"Section 6. Subject to appropriation from general revenue, the department of elementary and secondary education shall provide technical assistance, upon request, to public elementary and secondary schools teaching a foreign language to students."; and

Further amend the title and enacting clause accordingly.

Speaker Gaw resumed the Chair.

Representative Marble offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 583, Page 3, Section 6, Line 3, by inserting after the word "assistance", "and educational materials".

On motion of Representative Marble, House Amendment No. 1 to House Amendment No. 1 was adopted.

On motion of Representative Legan, House Amendment No. 1, as amended, was adopted.

Representative Marble offered House Amendment No. 2.

House Amendment No. 2 was withdrawn.

Representative Marble offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 583 & 645, Page 2, Section 3, Line 20, by inserting after the word "classes":

"and provide instructional material".

On motion of Representative Marble, House Amendment No. 2 was adopted.

Representative Naeger offered House Amendment No. 3.

Representative Thomason (163) raised a point of order that House Amendment No. 3 is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Thomason (163), HCS SS SCS SBs 583 & 645, as amended, was adopted.

On motion of Representative Thomason (163), HCS SS SCS SBs 583 & 645, as amended, was read the third time and passed by the following vote:

AYES: 132

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bennett Berkstresser Boatright

Bonner Boucher Broach Burton Campbell

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniels 41 Davis 122

Davis 63 DeMarce Dolan Donovan Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Gratz

Green Griesheimer Gross Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Howerton

Johnson Kasten Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Loudon Marble May 108 Mays 50

McBride Merideth Miller Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schwab Scott Secrest Seigfreid

Sheldon 104 Shields Skaggs Smith Steen

Stoll Stroker Summers Surface Thomason 163

Thompson 72 Townley Treadway Troupe Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 021

Bartlett Bauer Bland Bray 84 Carter

Daniel 42 Days Dougherty Graham 24 Gunn

Hagan-Harrell Harlan Kauffman McClelland McLuckie

Reynolds Schilling Shelton 57 Stokan Thompson 37

Van Zandt

PRESENT: 000

ABSENT WITH LEAVE: 009

Backer Ford Hall Hosmer Kelley 47

Long Luetkenhaus Monaco Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Johnson, title to the bill was agreed to.

Representative Kissell moved that the vote by which the bill passed be reconsidered.

Representative Franklin moved that motion lay on the table.

The latter motion prevailed.

HCS SB 674, relating to adoption, was taken up by Representative Riback Wilson.

Representative Riback Wilson offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 674, Page 7, Section 453.030, Line 82, by inserting after the word "pay" the word "reasonable"; and

Further amend said bill, Page 6, Section 453.030, Lines 55 and 56, by deleting the words "the effective date of this section" and inserting in lieu thereof the following: "August 28, 1997,"; and

Further amend said bill, Page 7, Section 453.030, Line 83, by deleting the numbers "[12] 11" and inserting in lieu thereof the number "12"; and

Further amend said bill, Page 9, Section 453.070, Line 19, by deleting the words "the effective date of this section" and inserting in lieu thereof the following: "August 28, 1997,"; and

Further amend said bill, Page 11, 453.077, Line 8, by deleting the words "the effective date of this section" and inserting in lieu thereof the following: "August 28, 1997,".

On motion of Representative Riback Wilson, House Amendment No. 1 was adopted.

Representative Kelly (27) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 674, Page 1, In the Title, Lines 2 to 5, by deleting all of said lines and inserting in lieu thereof the following: "To repeal sections 210.720, 211.183, 376.816 and 453.160, RSMo 1994, and sections 192.016, 211.171, 211.444, 211.447, 211.464, 452.402, 453.025, 453.030, 453.040, 453.060, 453.070, 453.075, 453.077, 453.080, 453.112 and 453.170, RSMo Supp. 1997, and to enact in lieu thereof twenty new sections for the purpose of complying with the federal mandates and providing permanency for children in alternative care, with an emergency clause for certain sections."; and

Further amend said bill, Page 13, Section 453.170, Line 19, by inserting after all of said lines the following:

"Section B. Sections 210.720 and 211.183, RSMo 1994, and sections 211.171, 211.447 and 453.010, RSMo Supp. 1997, are repealed and five new sections enacted in lieu thereof, to be known as sections 210.720, 211.171, 211.183, 211.447 and 453.010, to read as follows:

210.720. 1. In the case of a child who has been placed in the custody of [an] the division of family services in accordance with subdivision (17) of subsection 1 of section 207.020, RSMo, or another authorized agency by a court or who has been placed in foster care by a court, every six months after the placement, the foster family, group home, agency, or child care institution with which the child is placed shall file with the court a written report on the status of the child[, and]. The court shall review the report and shall hold a [dispositional] permanency hearing within [eighteen] twelve months of initial placement and at least annually thereafter. The [dispositional] permanency hearing shall be for the purpose of determining in accordance with the best interests of the child a permanent plan for the placement of the child, including whether or not the child should be continued in foster care or whether the child should be returned to a parent, guardian or relative, or whether or not proceedings should be instituted by either the juvenile officer or the division to terminate parental rights and legally free such child for adoption.

2. In such [dispositional] permanency hearings the court shall consider all relevant factors including:

(1) The interaction and interrelationship of the child with [his] the child's foster parents, [his] parents, [his] siblings, and any other person who may significantly affect the child's best interests;

(2) The child's adjustment to his or her foster home, school and community;

(3) The mental and physical health of all individuals involved, including any history of abuse of any individuals involved; and

(4) The needs of the child for a continuing relationship with [his] the child's parents and the ability and willingness of parents to actively perform their functions as mother and father for the needs of the child.

3. The judge shall make written findings of fact and conclusions of law in any [final disposition] order pertaining to the placement of the child.

211.171. 1. The procedure to be followed at the hearing shall be determined by the juvenile court judge and may be as formal or informal as he or she considers desirable. [He] The judge may take testimony and inquire into the habits, surroundings, conditions and tendencies of the child and the family to enable the court to render such order or judgment as will best promote the welfare of the child and carry out the objectives of this chapter.

2. The hearing may, in the discretion of the court, proceed in the absence of the child and may be adjourned from time to time.

3. The current foster parents of a child, or any preadoptive parent or relative currently providing care for the child, shall be provided with notice of, and an opportunity to be heard in, any permanency or other review hearing to be held with respect to the child. This subsection shall not be construed to require that any such foster parent, preadoptive parent or relative providing care for a child be made a party to the case solely on the basis of such notice and opportunity to be heard.

4. All cases of children shall be heard separately from the trial of cases against adults.

[4.] 5. Stenographic notes or an authorized recording of the hearing shall be required if the court so orders or if requested by any party interested in the proceeding.

[5.] 6. The general public shall be excluded and only such persons admitted as have a direct interest in the case or in the work of the court except in cases where the child is accused of conduct which, if committed by an adult, would be considered a class A or B felony; or for conduct which would be considered a class C felony, if the child has previously been formally adjudicated for the commission of two or more unrelated acts which would have been class A, B or C felonies, if committed by an adult.

[6.] 7. The practice and procedure customary in proceedings in equity shall govern all proceedings in the juvenile court.

[7.] 8. The court shall allow the victim of any offense to submit a written statement to the court. The court shall allow the victim to appear before the court personally or by counsel for the purpose of making a statement, unless the court finds that the presence of the victim would not serve justice. The statement shall relate solely to the facts of the case and any personal injuries or financial loss incurred by the victim. A member of the immediate family of the victim may appear personally or by counsel to make a statement if the victim has died or is otherwise unable to appear as a result of the offense committed by the child.

211.183. 1. In juvenile court proceedings regarding the removal of a child from his or her home, the [order of

disposition] court's order shall include a determination of whether the division of family services has made reasonable efforts to prevent or eliminate the need for removal of the child and, after removal, to make it possible for the child to return home. If the first contact with the family occurred during an emergency in which the child could not safely remain at home even with reasonable in-home services, the division shall be deemed to have made reasonable efforts to prevent or eliminate the need for removal.

2. "Reasonable efforts" means the exercise of reasonable diligence and care by the division to utilize all available services related to meeting the needs of the juvenile and the family. In determining reasonable efforts to be made and in making such reasonable efforts, the child's present and ongoing health and safety shall be the paramount consideration.

3. In support of its determination of whether reasonable efforts have been made, the court shall enter findings, including a brief description of what preventive or reunification efforts were made and why further efforts could or could not have prevented or shortened the separation of the family. The division shall have the burden of demonstrating reasonable efforts.

4. The juvenile court may authorize the removal of the child even if the preventive and reunification efforts of the division have not been reasonable, but further efforts could not permit the child to remain at home.

5. Before a child may be removed from the parent, guardian, or custodian of the child by order of a juvenile court, excluding commitments to the division of youth services, the court shall in its orders:

(1) State whether removal of the child is necessary to protect the child and the reasons therefor;

(2) Describe the services available to the family before removal of the child, including in-home services;

(3) Describe the efforts made to provide those services relevant to the needs of the family before the removal of the child;

(4) State why efforts made to provide family services described did not prevent removal of the child; and

(5) State whether efforts made to prevent removal of the child were reasonable, based upon the needs of the family and child.

6. If continuation of reasonable efforts, as described in this section, is determined by the division to be inconsistent with establishing a permanent placement for the child, the division shall take such steps as are deemed necessary by the division, including seeking modification of any court order to modify the permanency plan for the child.

7. The division shall not be required to make reasonable efforts, as defined in this section, but has the discretion to make reasonable efforts if a court of competent jurisdiction has determined that:

(1) The parent has subjected the child to a severe act or recurrent acts of physical, emotional or sexual abuse toward the child, including an act of incest; or

(2) The parent has:

(a) Committed murder of another child of the parent;

(b) Committed voluntary manslaughter of another child of the parent;

(c) Aided or abetted, attempted, conspired or solicited to commit such a murder or voluntary manslaughter; or

(d) Committed a felony assault that resulted in serious bodily injury to the child or to another child of the parent; or

(3) The parent's parental rights to a sibling have been involuntarily terminated.

8. If the court determines that reasonable efforts, as described in this section, are not required to be made by the division, the court shall hold a permanency hearing within thirty days after the court has made such determination. The division shall complete whatever steps are necessary to finalize the permanent placement of the child.

9. The division may concurrently engage in reasonable efforts, as described in this section, while engaging in such other measures as are deemed appropriate by the division to establish a permanent placement for the child.

211.447. 1. Any information that could justify the filing of a petition to terminate parental rights may be referred to the juvenile officer by any person. The juvenile officer shall make a preliminary inquiry and [may file a petition to terminate parental rights.] if it does not appear to the juvenile officer that a petition should be filed, such officer shall so notify the informant in writing within thirty days of the referral. Such notification shall include the reasons that the petition will not be filed. Thereupon, the informant may bring the matter directly to the attention of the judge of the juvenile court by presenting the information in writing, and if it appears to the judge that the information could justify the filing of a petition, the judge may order the juvenile officer to take further

action, including making a further preliminary inquiry or filing a petition.

2. [The juvenile court may terminate the rights of a parent to a child upon a petition filed by the juvenile officer, or in adoption cases, by a prospective parent, if the court finds that the termination is in the best interests of the child and when it appears by clear, cogent and convincing evidence that one or more of the following grounds for termination exist:] Except as provided for in subsection 3 of this section, a petition to terminate the parental rights of the child's parent or parents shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, when:

(1) Information available to the juvenile officer or the division establishes that the child has been in foster care for at least fifteen of the most recent twenty-two months; or

(2) A court of competent jurisdiction has determined the child to be an abandoned infant. For purposes of this subdivision, an "infant" means any child one year of age or under at the time of filing of the petition. The court may find that an infant has been abandoned if:

(a) The parent has left the child under circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so; or

(3) A court of competent jurisdiction has determined that the parent has:

(a) Committed murder of another child of the parent; or

(b) Committed voluntary manslaughter of another child of the parent; or

(c) Aided or abetted, attempted, conspired or solicited to commit such a murder or voluntary manslaughter; or

(d) Committed a felony assault that resulted in serious bodily injury to the child or to another child of the parent.

3. If grounds exist for termination of parental rights pursuant to subsection 2 of this section, the juvenile officer or the division may, but is not required to, file a petition to terminate the parental rights of the child's parent or parents if:

(1) The child is being cared for by a relative; or

(2) There exists a compelling reason for determining that filing such a petition would not be in the best interest of the child, as documented in the permanency plan which shall be made available for court review; or

(3) The family of the child has not been provided such services as provided for in section 211.183.

4. The juvenile officer or the division may file a petition to terminate the parental rights of the child's parent when it appears that one or more of the following grounds for termination exist:

(1) The child has been abandoned. For purposes of this subdivision a "child" means any child over one year of age at the time of filing of the petition. The court shall find that the child has been abandoned if, for a period of six months or longer [for a child over one year of age or a period of sixty days or longer for a child under one year of age at the time of the filing of the petition]:

(a) The parent has left the child under such circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so;

(2) The child has been abused or neglected. In determining whether to terminate parental rights [under] pursuant to this subdivision, the court shall consider and make findings on the following conditions or acts of the parent:

(a) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(b) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control of the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control;

(c) A severe act or recurrent acts of physical, emotional or sexual abuse toward the child or any child in the family by the parent, including an act of incest, or by another under circumstances that indicate that the parent knew or should have known that such acts were being committed toward the child or any child in the family; or

(d) Repeated or continuous failure by the parent, although physically or financially able, to provide the child with adequate food, clothing, shelter, or education as defined by law, or other care and control necessary for the child's physical, mental, or emotional health and development;

(3) The child has been under the jurisdiction of the juvenile court for a period of one year, and the court finds that the conditions which led to the assumption of jurisdiction still persist, or conditions of a potentially harmful nature continue to exist, that there is little likelihood that those conditions will be remedied at an early date so that the child can be returned to the parent in the near future, or the continuation of the parent-child relationship greatly diminishes the child's prospects for early integration into a stable and permanent home. In determining whether to terminate parental rights under this subdivision, the court shall consider and make findings on the following:

(a) The terms of a social service plan entered into by the parent and the division and the extent to which the parties have made progress in complying with those terms;

(b) The success or failure of the efforts of the juvenile officer, the division or other agency to aid the parent on a continuing basis in adjusting his circumstances or conduct to provide a proper home for the child;

(c) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(d) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control over the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control; or

(4) The parent has been found guilty or pled guilty to a felony violation of chapter 566, RSMo, when the child or any child in the family was a victim, or a violation of section 568.020, RSMo, when the child or any child in the family was a victim. As used in this subdivision, a child means any person who was under eighteen years of age at the time of the crime and who resided with such parent or was related within the third degree of consanguinity or affinity to such parent; or

(5) The child was conceived and born as a result of an act of forcible rape. When the biological father has pled guilty to, or is convicted of, the forcible rape of the birth mother, such a plea or conviction shall be conclusive evidence supporting the termination of the biological father's parental rights; or

(6) The parent is unfit to be a party to the parent and child relationship because of a consistent pattern of committing a specific abuse, including but not limited to, abuses as defined in section 455.010, RSMo, child abuse or drug abuse before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental or emotional needs of the child. It is presumed that a parent is unfit to be a party to the parent-child relationship upon a showing that within a three-year period immediately prior to the termination adjudication, the parent's parental rights to one or more other children were involuntarily terminated [under] pursuant to subsection 2 or 3 of this section or subdivisions (1), (2), (3) or (4) of subsection 4 of this section or similar laws of other states.

5. The juvenile court may terminate the rights of a parent to a child upon a petition filed by the juvenile officer or the division, or in adoption cases, by a prospective parent, if the court finds that the termination is in the best interest of the child and when it appears by clear, cogent and convincing evidence that grounds exist for termination pursuant to subsection 2, 3 or 4 of this section.

[3.] 6. When considering whether to terminate the parent-child relationship pursuant to [subdivision (1), (2), (3), (4) or (5) of subsection 2] subsection 2 or 3 of this section or subdivision (1), (2), (3) or (4) of subsection 4 of this section, the court shall evaluate and make findings on the following factors, when appropriate and applicable to the case:

(1) The emotional ties to the birth parent;

(2) The extent to which the parent has maintained regular visitation or other contact with the child;

(3) The extent of payment by the parent for the cost of care and maintenance of the child when financially able to do so including the time that the child is in the custody of the division or other child-placing agency;

(4) Whether additional services would be likely to bring about lasting parental adjustment enabling a return of the child to the parent within an ascertainable period of time;

(5) The parent's disinterest in or lack of commitment to the child;

(6) The conviction of the parent of a felony offense that the court finds is of such a nature that the child will be deprived of a stable home for a period of years; provided, however, that incarceration in and of itself shall not be grounds for termination of parental rights;

(7) Deliberate acts of the parent or acts of another of which the parent knew or should have known that

subjects the child to a substantial risk of physical or mental harm.

[4.] 7. The court may attach little or no weight to infrequent visitations, communications, or contributions. It is irrelevant in a termination proceeding that the maintenance of the parent-child relationship may serve as an inducement for the parent's rehabilitation.

[5.] 8. In actions for adoption [under] pursuant to chapter 453, RSMo, the court may hear and determine the issues raised in a petition for adoption containing a prayer for termination of parental rights filed with the same effect as a petition permitted [under subsection 2] pursuant to subsection 2, 3 or 4 of this section.

453.010. 1. Unless the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provisions of chapter 211, RSMo, any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;

(2) The child sought to be adopted was born;

(3) The child is located at the time of the filing of the petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, RSMo, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

[3.] 4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

[4.] 5. Upon receipt of a properly filed petition, a court, as defined in section 453.010, shall hear [said] such petition in a timely fashion. A court or any child placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile.

Section C. Because immediate action is necessary to comply with changes in the federal law section B of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect on July 1, 1998, or upon its passage and approval, whichever later occurs.".

On motion of Representative Kelly (27), House Amendment No. 2 was adopted.

On motion of Representative Riback Wilson, HCS SB 674, as amended, was adopted.

On motion of Representative Riback Wilson, HCS SB 674, as amended, was read the third time and passed by the following vote:

AYES: 150

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 011

Backer Ford Franklin Hall Kelley 47

Lakin Scott Shear Sheldon 104 Surface

Wiggins

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Fritts Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Stokan Stoll Stroker Summers Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 004

Froelker Hohulin Lograsso Steen

PRESENT: 000

ABSENT WITH LEAVE: 010

Backer Ford Franklin Hagan-Harrell Hall

Kelley 47 Scott Shear Surface Wiggins

VACANCIES: 001

On motion of Representative Bartlett, title to the bill was agreed to.

Representative Fritts moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

HCS SS SB 792, relating to financial transactions, was taken up by Representative Liese.

Representative Liese offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 792, Page 2, Section 30.255, Line 13, by inserting immediately at the end of said line the following, "In the event that a financial institution is not required to comply with the community reinvestment act, the state treasurer shall not use that fact, either favorable or negatively, in depositing, continuing a demand deposit, or reissuing a demand deposit of state funds.".

On motion of Representative Liese, House Amendment No. 1 was adopted.

On motion of Representative Liese, HCS SS SB 792, as amended, was adopted.

On motion of Representative Liese, HCS SS SB 792, as amended, was read the third time and passed by the following vote:

AYES: 127

Akin Alter Auer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Boatright Bonner Boucher Broach

Burton Campbell Champion Chrismer Cierpiot

Cooper Copeland Crawford Crump Daniels 41

Davis 122 Davis 63 Dolan Donovan Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Griesheimer Gross Hagan-Harrell Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hilgemann Hohulin

Holand Hollingsworth Hoppe Howerton Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Liese Linton Loudon

Luetkenhaus Marble Mays 50 McBride Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schwab Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Vogel Wannenmacher Wiggins Williams 159

Wooten Mr. Speaker

NOES: 025

Bland Bray 84 Carter Clayton Daniel 42

Days DeMarce Dougherty Ford Green

Gunn Harlan Hendrickson Hickey Hosmer

May 108 McClelland McLuckie Murphy O'Toole

Reynolds Schilling Troupe Van Zandt Wilson

PRESENT: 001

Williams 121

ABSENT WITH LEAVE: 009

Backer Hall Kelley 47 Levin Lograsso

Long Scott Shear Surface

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

HCS SCS SB 922, relating to employment security, was taken up by Representative Luetkenhaus.

Representative Luetkenhaus offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 922, Page 13, Section 288.090, Line 109, by deleting after the word "assess" the word "as".

On motion of Representative Luetkenhaus, House Amendment No. 1 was adopted.

Representative Nordwald offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 2, by inserting after the words "repeal sections" the figure "115.101,"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting immediately before the figure "288.126," the figure "115.101,"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "eight" and inserting the word "nine"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the word "sections" the figure "115.101,"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said line the following:

"115.101. For service in conducting elections and house-to-house canvasses, each election judge shall be paid a specific dollar amount which shall be set by the legislative authority of each county and by any city not within a county. [For purposes of this section, and the Constitution of Missouri, election judges appointed by the election authority shall not be considered employees of the election authority.]".

Speaker Pro Tem Kreider resumed the Chair.

Representative Nordwald moved that House Amendment No. 2 be adopted.

Which motion was defeated.

Representative Pouche offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 922, Page 9, Section 288.034, Line 289, by adding after the word "camp" the following: "or seasonal employment", and further amend said bill, line 289, by deleting the word "thirteen", and inserting in lieu thereof the word "fifteen", and further amend said bill, page 10, line 301, by inserting after the word "camp", the following: "or seasonal employment", and further amend said bill, page 10, line 302, by inserting after the word "camp", the following "or seasonal employment".

Representative Pouche moved that House Amendment No. 3 be adopted.

Which motion was defeated.

On motion of Representative Luetkenhaus, HCS SCS SB 922, as amended, was adopted.

On motion of Representative Luetkenhaus, HCS SCS SB 922, as amended, was read the third time and passed

by the following vote:

AYES: 143

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniel 42 Daniels 41
Davis 122 Davis 63 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Foster
Fritts Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Heckemeyer Hegeman Hendrickson Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kelly 27 Kennedy Kissell
Klindt Koller Kreider Lakin Legan
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shelton 57
Shields Smith Stokan Stoll Stroker
Summers Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Wannenmacher Wiggins
Williams 121 Williams 159 Wilson

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Bennett Ford Franklin Gratz Hall
Hickey Kauffman Kelley 47 Lawson Leake

Levin Scheve Shear Skaggs Steen

Surface Vogel Wooten Mr. Speaker

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Fritts, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

HCS SCS SB 659, relating to deputy sheriffs, was taken up by Representative Crump.

Representative Crump offered HS HCS SCS SB 659.

Representative Hilgemann offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 659, Page 1, In the title, Line 6 of said page, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 12 of said page, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 14 of said page, by deleting "and 57.275" and inserting in lieu thereof ", 57.275 and 1"; and

Further amend said bill, Page 12, Section 57.275, Line 10 of said page, by inserting after all of said line the following:

"Section 1. 1. The governing board of any private not for profit college or university authorized to do business in this state, meeting the standards of the North Central Association of Colleges and Secondary Schools, and having not less than nine thousand full-time equivalent students enrolled for the fall semester or term of 1996, may appoint and employ as many college or university police officers as it may deem necessary to protect persons, property, and to preserve peace and good order in the buildings, properties, grounds, and other facilities and locations over which it has charge or control.

2. The college or university police officers, before they enter upon their duties, shall take and subscribe an oath of office before some officer authorized to administer oaths, to faithfully and impartially discharge the duties thereof, which oath shall be filed in the office of the governing board of the college or university, and the secretary of the board shall give each college police officer so appointed and qualified a certificate of appointment, under the seal of the board, which certificate shall empower such officer with the same authority to maintain order, preserve peace and make arrests as is now held by peace officers. The college or university police officer may in addition expel from the public buildings, campuses, and grounds, persons violating the rules and regulations that may be prescribed by the board or others under the authority of the board. Such officer as may be designated by the board shall have immediate charge, control and supervision of college police officers appointed by authority of this section. Such college police officers shall, before appointment, be certified peace officers pursuant to chapter 590, RSMo.

3. Nothing in this section shall be construed as denying the board the right to appoint guards or watchmen who shall not be given the authority and powers authorized in this section.".

Representative Crump raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Hilgemann moved that House Amendment No. 1 be adopted.

Which motion was defeated.

Representative Kissell offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 659, Page 1, In the Title, Line 3, by deleting the word and number "and 57.251" and inserting in lieu thereof the following: ", 57.251 and 85.011"; and

Further amend said bill, Page 1, In the title, Line 6, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Lines 10 and 11, by deleting the word and number "and 57.251" and inserting in lieu thereof the following: ", 57.251 and 85.011"; and

Further amend said bill, Page 1, Section A, Line 12, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 14, by deleting the word and number "and 57.275" and inserting in lieu thereof the following: ", 57.275 and 85.011"; and

Further amend said bill, Page 12, Section 57.275, Line 10, by adding after all of said line the following:

"85.011. Any law enforcement officer, other than an elected sheriff or deputy, who possesses the duty and power of arrest for violations of the criminal laws of this state or for violations of ordinances of counties or municipalities of this state, who is regularly employed for more than thirty hours per week, and who is employed by a law enforcement agency of this state or political subdivision of this state which employs more than fifteen law enforcement officers, shall be given upon written request a meeting within forty-eight hours of a dismissal, disciplinary demotion or suspension that results in a reduction or withholding of salary or compensatory time. The meeting shall be held before any individual or board as designated by the governing body. At any such meeting, the employing law enforcement agency shall at a minimum provide a brief statement, which may be oral, of the reason of the discharge, disciplinary demotion or suspension, and permit the law enforcement officer the opportunity to respond. The results from such meeting shall be reduced to writing. Any law enforcement agency that has substantially similar or greater procedures shall be deemed to be in compliance with this section. This section shall not apply to an officer serving in a probationary period [or to the highest ranking officer of any law enforcement agency]. Any law enforcement officer employed by the state shall not be subject to the provisions of this section.".

Representative Loudon raised a point of order that House Amendment No. 2 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Kissell moved that House Amendment No. 2 be adopted.

Which motion was defeated.

On motion of Representative Crump, HS HCS SCS SB 659 was adopted.

On motion of Representative Crump, HS HCS SCS SB 659 was read the third time and passed by the following vote:

AYES: 118

Akin Alter Auer Backer Barnett

Barry 100 Bartlett Bauer Bennett Bland

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Copeland Crump Daniel 42 Daniels 41 Davis 122

Davis 63 Days Dolan Donovan Dougherty

Evans Farnen Fitzwater Foley Fritts

Froelker Gaskill Gibbons Graham 106 Graham 24

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 124 Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kelly 27 Kennedy Kissell

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Loudon Luetkenhaus May 108 Mays 50 McBride

McLuckie Merideth Monaco Murray Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Scheve

Schilling Scott Seigfreid Shelton 57 Shields

Skaggs Smith Stokan Stoll Stroker

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Wannenmacher Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

NOES: 029

Ballard Bartelsmeyer Berkstresser Boatright Clayton

Crawford DeMarce Edwards-Pavia Elliott Enz

Foster Gaston Hartzler 123 Hegeman Hendrickson

Klindt Marble McClelland Miller Murphy

Naeger Patek Pouche Pryor Purgason

Sallee Schwab Secrest Summers

PRESENT: 000

ABSENT WITH LEAVE: 015

Cooper Ford Franklin Gratz Hall

Heckemeyer Kauffman Kelley 47 Long Shear

Sheldon 104 Steen Surface Vogel Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Murray, title to the bill was agreed to.

Representative Hickey moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

HCS SS SCS SB 651, relating to domestic relations, was placed on the Informal Calendar.

HCS SB 629, relating to community improvement, was taken up by Representative Green.

HCS SB 629 was laid over.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on HS HCS SS SCS SB 781, as amended, and has taken up and passed CCS HS HCS SS SCS SB 781.

MOTIONS

SS SCS HS HCS HBs 1147, 1435, 1050, 1186 & 1108, relating to controlled substances law, was taken up by Representative Hosmer.

On motion of Representative Hosmer, SS SCS HS HCS HBs 1147, 1435, 1050, 1186 & 1108 was adopted by the following vote:

AYES: 145

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Crawford Crump Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Cooper Copeland Daniel 42 Ford Graham 24

Gratz Hall Kauffman Kelley 47 Long

Patek Rizzo Shear Sheldon 104 Surface

Thomason 163 Wooten

VACANCIES: 001

On motion of Representative Hosmer, SS SCS HS HCS HBs 1147, 1435, 1050, 1186 & 1108 was truly agreed to and finally passed by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Crawford Crump Daniels 41 Davis 122 Davis 63

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Cooper Copeland Daniel 42 Ford Gratz

Hall Kauffman Kelley 47 Long Rizzo

Shear Sheldon 104 Shelton 57 Surface Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative O'Connor moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

CCR HS HCS SS SCS SB 781, as amended, relating to desegregation, was taken up by Representative Stoll.

Representative Scheve assumed the Chair.

Speaker Gaw resumed the Chair.

CCR HS HCS SS SCS SB 781, as amended, was laid over.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 31 - Miscellaneous Bills and Resolutions

HCR 32 - Agriculture

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed SS SCS HS HCS HB 1405, 1109 & 1335, entitled:

An act to repeal sections 566.617, 589.400, 589.407, 589.410, 589.414, 589.417 and 589.425, RSMo Supp. 1997, and to enact in lieu thereof eighteen new sections relating to the registration and civil commitment of certain persons, with penalty provisions and an effective date.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 5, and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1405, 1109 & 1335, Page 14, Section 6, Line 2 & 22, by deleting the following: "at a facility operated".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1405, 1109 & 1335, Page 8, Section 589.425, Lines 5-6, of said page, by striking the following: "statutory rape in the second degree, statutory sodomy in the second degree,"; and

Further amend said bill, page 10, section 2, line 19, by inserting after the word "counties" the following: ", and one member shall be the prosecuting attorney of the county in which the person was convicted or committed pursuant to chapter 552, RSMo".

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1405, 1109 & 1335, Page 10, Section 2, Line 9, of said page, by inserting after the word "team" the following: "consisting of no more than seven members, at least one from the department of corrections and the department of health, and".

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1405, 1109 & 1335, Page 12, Section 4, Line 12, of said page, by inserting after the word "RSMo" the following: ", who was not a member of the multidisciplinary team that previously reviewed the person's records".

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1405, 1109 & 1335, Page 11, Section 3, Line 12, by inserting after the word "allegation." the following: "A copy of the assessment of the multidisciplinary team must be filed with the petition."; and

Further amend said bill, page 12, section 4, line 15, of said page, by inserting after "file" the following ", including the assessment of the multidisciplinary team".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in HS HCS SB 619, as amended , and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon and further that the Senate conferees are allowed to exceed the differences on HSA 1 for HA 2.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on HS HCS SCS SBs 614, 696, 906, 530, 912 & 914, as amended, and has taken up and passed CCS HS HCS SCS SBs 614, 696, 906, 530, 912 & 914.

CONFERENCE COMMITTEE REPORT NO. 2

ON

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 487

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Substitute for House Committee Substitute for Senate Bill No. 487, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9 and House Amendment No. 10; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 487, as amended;

2. That the Senate recede from its position on Senate Bill No. 487;

3. That the Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 487, as amended by the attached Conference Committee Amendment No. 1, be adopted;

4. That the Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 487, with Conference Committee Amendment No. 1, be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Ron Auer /s/ Wayne Goode

/s/ Patrick O'Connor /s/ William Clay

/s/ Ken Legan /s/ Jim Mathewson

/s/ Gary Burton /s/ Doyle Childers

/s/ Morris Westfall

Conference Committee Amendment No. 1

AMEND Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 487, Page 1, In the Title, Lines 4-5, by striking the following: "of abandoned property"; and inserting in lieu thereof the following: "and titling procedures for motor vehicles"; and amend line 5, by striking "nine" and inserting in lieu thereof "eight"; and further amend line 6, by inserting after "subject" the following: ", with an effective date for a certain section"; and

Further amend said bill, page 1, section A, line 3, by striking "nine" and inserting in lieu thereof "eight"; and further amend line 5 of said page, by striking ", 1 and 2" and inserting in lieu thereof "and 1"; and

Further amend said bill, page 14, section 304.156, line 18 of said page, by striking the opening bracket "[" and inserting before the word "Any" an "opening bracket "["; and

Further amend said bill, pages 35-36, section 1, by striking all of said section; and

Further amend said bill, page 36, section 2, line 7, by striking: "Section 2" and inserting in lieu thereof the following: "Section 1."; and further amend line 21 of said page, by inserting after all of said line the following:

"Section B. The repeal and reenactment of section 301.640 shall be effective upon January 1, 1999.".

CONFERENCE COMMITTEE REPORT

ON

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILLS NOS. 614, 696, 906, 530, 912 & 914

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 614, 696, 906, 530, 912 & 914, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 614, 696, 906, 530, 912 & 914, as amended;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bills Nos. 614, 696, 906, 530, 912 & 914, as amended;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 614, 696, 906, 530, 912 & 914, as amended, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Brian May /s/ William McKenna

/s/ Jim O'Toole /s/ John Schneider

/s/ Ralph Monaco /s/ John Scott

/s/ Mark Richardson /s/ Francis Flotron

/s/ Don Summers /s/ John Russell

CONFERENCE COMMITTEE REPORT

ON

HOUSE SUBSTITUTE

FOR

SENATE BILL NO. 743

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Substitute for Senate Bill No. 743, with House Amendment No. 1; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Bill No. 743, as amended;

2. That the Senate recede from its position on Senate Bill No. 743;

3. That the attached Conference Committee Substitute for House Substitute for Senate Bill No. 743 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Thomas Hoppe /s/ Joe Maxwell

/s/ James Foley /s/ James L. Mathewson

/s/ Carol Jean Mays /s/ Harold L. Caskey

/s/ John Griesheimer /s/ Morris Westfall

/s/ Carson Ross /s/ Doyle Childers

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 9:00 a.m., Friday, May 15, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-third Day, Wednesday, May 13, 1998, pages 1823 and 1824, roll call, by showing Representatives Cierpiot and Enz voting "no" rather than "aye".

Pages 1824 and 1825, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Pages 1825 and 1826, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 1826 and 1827, roll call, by showing Representatives Bartelsmeyer, Donovan and Reinhart voting "aye" rather than "absent with leave".

Pages 1827 and 1828, roll call, by showing Representatives Berkstresser, Gibbons, Purgason, Scott and Summers voting "aye" rather than "absent with leave".

Page 1829, roll call, by showing Representatives Campbell, Donovan and Gibbons voting "aye" rather than "absent with leave".

Pages 1831 and 1832, roll call, by showing Representative Ballard voting "aye" rather than "absent with leave".

Page 1833, roll call, by showing Representative Johnson voting "aye" rather than "absent with leave".

Page 1834, roll call, by showing Representatives Bartelsmeyer and Merideth voting "aye" rather than "absent with leave".

Page 1835, roll call, by showing Representatives Donovan, Franklin, Kreider and Parker voting "aye" rather than "absent with leave".

Pages 1835 and 1836, roll call, by showing Representative Parker voting "aye" rather than "absent with leave".

Pages 1837 and 1838, roll call, by showing Representatives Campbell and Dolan voting "aye" rather than "absent with leave".

Pages 1839 and 1840, roll call, by showing Representative Franklin voting "no" rather than "absent with leave".

Page 1841, roll call, by showing Representatives Bennett, Enz, Franklin, Klindt, Kreider, Long, Secrest and Surface voting "aye" rather than "absent with leave".

Page 1841, roll call, by showing Representative McClelland voting "no" rather than "absent with leave".

Page 1848, roll call, by showing Representatives Campbell, Franklin and Ransdall voting "aye" rather than "absent with leave".

Page 1848, roll call, by showing Representatives Bennett, Dolan, Klindt and Richardson voting "no" rather than "absent with leave".

Pages 1850 and 1851, roll call, by showing Representative Lakin voting "aye" rather than "absent with leave".

Pages 1850 and 1851, roll call, by showing Representative Ballard voting "no" rather than "absent with leave".

Pages 1851 and 1852, roll call, by showing Representatives Bartelsmeyer and Naeger voting "aye" rather than "absent with leave".

Pages 1853 and 1854, roll call, by showing Representatives Bennett and Hosmer voting "no" rather than "absent with leave".

Pages 1853 and 1854, roll call, by showing Representative Campbell voting "aye" rather than "absent with leave".

Page 1857, roll call, by showing Representative Campbell voting "aye" rather than "absent with leave".

Pages 1857 and 1858, roll call, by showing Representatives Elliott and Reinhart voting "no" rather than "absent with leave".

Page 1873, roll call, by showing Representatives Burton and Kissell voting "aye" rather than "no".

Page 1873, roll call, by showing Representatives Elliott, Davis (63), Franklin, Gross, Hegeman, Long, Purgason and Williams (121) voting "aye" rather than "absent with leave".

Page 1884, roll call, by showing Representative Nordwald voting "aye" rather than "absent with leave".

Pages 1889 and 1890, roll call, by showing Representative Nordwald voting "aye" rather than "absent with leave".

Pages 1889 and 1890, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 1896 and 1897, roll call, by showing Representatives Bennett, Dolan and Nordwald voting "aye" rather than "absent with leave".

Pages 1899 and 1900, roll call, by showing Representatives Edwards-Pavia, Nordwald and Ridgeway voting "aye" rather than "absent with leave".

Page 1900, roll call, by showing Representative Lakin voting "aye" rather than "absent with leave".

Page 1900, roll call, by showing Representatives Nordwald and Ridgeway voting "no" rather than "absent with leave".

Pages 1901, roll call, by showing Representative Nordwald voting "aye" rather than "absent with leave".

Page 1901, roll call, by showing Representatives Boatright, Ridgeway and Surface voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Friday, May 15, 1998, 8:30 am. Hearing Room 9. Executive session to follow.

To be considered - HCR 32

MISCELLANEOUS BILLS AND RESOLUTIONS

Friday, May 15, 1998, 8:30 am. Hearing Room 6. Executive session may follow.

To be considered - HCR 31

HOUSE CALENDAR

Seventy-fifth Day, Friday, May 15, 1998

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 35 - Parker

2 HCS HJR 53 - Backer

3 HJR 41 - Kelly (27)

4 HJR 31 - Graham (24)

HOUSE BILLS FOR PERFECTION

1 HB 962 - Backer

2 HB 1202 - Bartlett

3 HCS HB 1138 - Leake

4 HCS HB 907 - Hosmer

5 HCS HB 1375 - May (108)

6 HCS HB 1040, 1554, 1252, 1286 & 979 - Hosmer

7 HB 958 - Liese

8 HCS HB 1153 - Backer

9 HCS HB 1534 - Graham (24)

10 HCS HB 1277 & 900 - Gunn

11 HCS HB 924 - McLuckie

12 HB 1939 - Gratz

13 HB 1871 - Bland

14 HCS HB 1139 - Green

15 HCS HB 1078 & 1568 - Van Zandt

16 HCS HB 1678 - Wiggins

17 HB 1689, HCA 1 - Murray

18 HCS HB 1163, 1211, 1225 & 1660 - Parker

19 HCS HB 1768 - Franklin

20 HB 1553, HCA 1 - Foley

21 HCS HB 988 - Boucher

22 HCS HB 925 - Johnson

23 HB 993 - Bray

24 HB 939 - Backer

25 HB 1028 - Kissell

26 HCS HB 1065, 1180 & 1121 - Smith

27 HB 1634 - May (108)

28 HCS HB 1546, 1305 & 1275 - Scheve

29 HCS HB 1104 - Treadway

30 HCS HB 1034 - Campbell

31 HCS HB 1056, 905, 1538 & 1130 - Troupe

32 HCS HB 1067, 1254, 1358, 1359, 1370 & 1575 - Parker

33 HCS HB 1075 - Kreider

34 HCS HB 1127, 1399, 990 & 935 - May (108)

35 HCS HB 1135 & 991 - Luetkenhaus

36 HCS HB 1140 & 1329 - Green

37 HB 1199 - Treadway

38 HCS HB 1222 & 1347 - Farnen

39 HB 1231, HCA 1 - Dougherty

40 HB 1244, HCA 1 - Riback Wilson

41 HCS HB 1248, 1461, 1502, 1529 & 1530 - Clayton

42 HCS HB 1327 - Reynolds

43 HCS HB 1361 - Treadway

44 HCS HB 1337 - Reinhart

45 HB 1603 - Champion

46 HCS HB 1297 & 1495 - Levin

47 HCS HB 1384, 982 & 954 - Stoll

48 HB 1394, HCA 1 - Dougherty

49 HB 1443 - May (108)

50 HB 1450 - Barry

51 HB 1467, HCA 1 - Champion

52 HCS HB 1618 & 953 - Thomason (163)

53 HCS HB 1628 - Seigfreid

54 HCS HB 1648 & 1709 - Crump

55 HB 1729 - Scheve

56 HB 1759, HCA 1 - Wiggins

57 HCS HB 942 - Long

58 HCS HB 1771 - Stoll

59 HCS HB 1774 - Lakin

60 HB 1922 - Berkstresser

61 HB 1855 - Hosmer

62 HB 1314 - Wiggins

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HB 995 - Bray

2 HCS HB 972 & 1310, HS, as amended, pending, - Dougherty

3 HCS HB 1674, HS#2, as amended, pending, - Rizzo

4 HCS HB 1488, HS, as amended, pending, - Williams (121)

HOUSE BILLS FOR THIRD READING

1 HCS HB 1195, E.C. (Budget Fiscal 3-9-98) - May (108)

2 HB 1124 - Days

3 HS HB 1796 - Harlan

HOUSE BILL FOR THIRD READING - INFORMAL

1 HB 1610, - DeMarce - (CONSENT)

SENATE BILLS FOR THIRD READING

1 HCS SB 629 - Shelton (57)

2 HCS SS SCS SB 596 - Leake

3 HCS SS SB 478 - Crump

4 HCS SS SCS SB 852 & 913 - Wannenmacher

5 SB 650 - Kelly (27)

6 HCS SCS SB 762 - McLuckie

7 HCS SS SCS SB 627, E.C. - Mays (50)

8 SB 925, E.C. - O'Toole

9 HCS SS SCS SB 754 - Carter

10 HCS SCS SB 813 & 864 - Thomason (163)

11 HCS SCS SB 532, 806 & 633 - Hosmer

12 SB 709 - Days

13 SB 588 - Fritts

14 HCS SCS SB 477 - McBride

15 HCS SB 734, E.C. - Smith

16 HCS SS SB 657 - O'Toole

17 HCS SCS SB 522, E.C. - Lakin

18 HCS SCS SB 625 - Hoppe

19 HCS SB 641 - Farnen

20 HCS SB 773 - Harlan

21 HCS SS SB 518 - Thomason (163)

22 HCS SB 800 - Hoppe

23 SCS SB 571 - Kelly (27)

24 HCS SB 745 - Farnen

25 HCS SCS SB 613, E.C. - Hoppe

26 HCS SB 689 - Riback Wilson

27 SCS SB 523, HCAs 1 & 2, E.C. - Lakin

28 HCS SCS SB 610 & 835 - Gaskill

29 SB 927 - Hosmer

30 SB 756 - McClelland

31 SCS SB 849 - Skaggs

32 HCS SB 908 - Gibbons

33 HCS SB 525 - Thomason (163)

34 SB 566 - Mays (50)

35 HCS SB 780, E.C. - Stoll

36 SCS SB 802, E.C. - Thompson (37)

SENATE BILLS FOR THIRD READING - INFORMAL

1 HCS SB 615 - Treadway

2 HCS SS SCS SB 651 - Dougherty

SENATE BILL FOR THIRD READING - FEDERAL MANDATE

1 HCS SS SCS SB 771 & 687, E.C. (Budget Fiscal 5-11-98) - Dougherty

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HS HCS HB 1405, 1109 & 1335, as amended - Smith

BILL CARRYING REQUEST MESSAGES

1 HS HCS SB 619, (Req. House recede/grant Senate conf./conf. exceed diff. on HSA 1 for HA 2) - Stoll

BILLS IN CONFERENCE

1 CCR HS HCS SS SCS SB 781, as amended - Stoll

2 CCR HCS SB 787, as amended - Riback Wilson

3 CCR HS SB 743, as amended - Hoppe

4 HCS SB 936, as amended - Bray

5 CCR HS HCS SCS SB 614, 696, 906, 530, 912 & 914 - May (108)

6 CCR HS HCS SB 487, as amended - Auer

7 SS SCS HB 1507, as amended - Bray

HOUSE CONCURRENT RESOLUTIONS

1 HCR 17, HS, pending (5-6-98, pgs. 1548 & 1549) - Carter

2 HCR 30, (5-11-98, pgs. 1713 & 1714) - Gaw

HOUSE RESOLUTION

1 HR 885, (4-29-98, pgs. 1362 & 1363) - Green

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House Journal

Second Regular Session, 89th General Assembly

SEVENTY-FIFTH DAY, Friday, May 15, 1998

Representative DeMarce in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Gracious God, this morning's news brings us an awareness of a family anxiously awaiting the identity of an unknown soldier; it brings us awareness of a continually volatile and violent situation between Palestinians and Israelis - and it brings us the awareness of the passing of a legend in Ol' Blue Eyes, Frank Sinatra.

The world continues to revolve around us as we draw this last day to a close. Within only a few hours the work of this Chamber will be finished for this session. We are only a part of the bigger picture, but what has been enacted here impacts many - children, youth, the elderly, and all of us in between.

Always keep us mindful, O God, that this world is an interconnected family - and that what we do is not done in isolation, but has ripple effects, not only from day to day, but from generation to generation.

As this session closes, bless those who have served faithfully and will leave this House for the last time; bless those who will return to serve again, bless the support staff whose hard work has allowed the business of this House to run smoothly; and let us be reminded and thankful for the democratic process which allows us to enjoy the freedom of choices. Let us be assured that what has been done in days past and what will be done in days to come now rests in Your hands. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Justin Bear, Brittany Hale, Chris James, Samantha Lane, Lee McFadden, Blake McFadden, Whitney Bartlow, Ryan Brett Kauffman, Rachel Elizabeth Kauffman, Maggie Cely, Mary Trotter, Amanda Trotter, Carla Brotherton, Cullan May, Allison May, Ashton Albert, Lauren Zelazek and Casey Huntington.

The Journal of the seventy-fourth day was approved as corrected.

RESOLUTIONS

Representative Bennett offered House Resolution No. 1541, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Evans offered House Resolution No. 1542, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Griesheimer offered House Resolution No. 1543, which was referred to the

Committee on Miscellaneous Bills and Resolutions.

Representative Lakin offered House Resolution No. 1544 through House Resolution No. 1546, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hickey offered House Resolution No. 1547, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution No. 1548 and House Resolution No. 1549, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 1550, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hendrickson offered House Resolution No. 1551, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Rizzo offered House Resolution No. 1552, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Johnson offered House Resolution No. 1553, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1554, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Secrest offered House Resolution No. 1555, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 1556 and House Resolution No. 1557, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution No. 1558, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 1559 through House Resolution No. 1568, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 1569, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ridgeway offered House Resolution No. 1570, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Levin offered House Resolution No. 1571 through House Resolution No. 1574, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelly (27) offered House Resolution No. 1575, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution No. 1576, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1577, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hickey offered House Resolution No. 1578, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution No. 1579 and House Resolution No. 1580, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Summers offered House Resolution No. 1581, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Wooten offered House Resolution No. 1582, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pryor offered House Resolution No. 1583, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Elliott, Surface, Marble and Burton offered House Resolution No. 1584, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 1585, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **SCS HB 1229, SS HS HCS HBs 1237, 1409, 1166, 1154 & 1491, HB 1240, CCS SCS HB 1272, SS SCS HS HCS HBs 1455 & 1463, HCS HB 1510, SCS HS HCS HB 1636, SCS HB 1668** and **SCS HB 1876**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

Committee on Miscellaneous Bills and Resolutions, Chairman Foley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution No. 1314** through **House Resolution No. 1509** and **House Resolution No. 1511** through **House Resolution No. 1585**, begs leave to report it has examined the same and recommends that they **Do Pass**.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HS HCS HBs 1405, 1109 & 1335, as amended, relating to civil commitment of sexual predators, was taken up by Representative Smith.

Speaker Gaw assumed the Chair.

On motion of Representative Smith, **SS SCS HS HCS HBs 1405, 1109 & 1335, as amended,** was adopted by the following vote:

AYES: 151

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniels 41

Davis 122 Days DeMarce Dolan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Hegeman Hendrickson Hickey Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Steen Stokan

Stoll Stroker Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Van Zandt Vogel

Wannenmacher Wiggins Williams 159 Wilson Wooten

Mr. Speaker

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 010

Daniel 42 Davis 63 Donovan Ford Heckemeyer

Hilgemann Shear Smith Summers Williams 121

VACANCIES: 001

On motion of Representative Smith, **SS SCS HS HCS HBs 1405, 1109 & 1335, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Copeland

Crawford Crump Daniels 41 Davis 122 Days
DeMarce Dolan Donovan Dougherty Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Hall Harlan Hartzler 123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Legan Levin Liese Linton Lograsso
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson
Ridgeway Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Surface Thomason 163 Thompson 37 Thompson 72 Townley
Treadway Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 006

Bauer Burton Daniel 42 Davis 63 Shear
Summers

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Harlan, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Stroker moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HCS HB 971**, entitled:

An act to repeal sections 211.156 and 287.815, RSMo 1994, sections 211.393, 287.812 and 360.015, RSMo Supp. 1997, and section 2 of senate substitute for senate committee substitute for house substitute for house committee substitute for house bills nos. 1455 & 1463 as truly agreed to and finally passed by the second regular session of the eighty-ninth general assembly, relating to compensation for public agencies and employees, and to enact in lieu thereof nine new sections relating to the same subject, with an effective date for certain sections and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in the **CCR on SS SCS HS HCS HB 1095, as amended**, and requests the House to grant further conference.

Speaker Pro Tem Kreider assumed the Chair.

BILL IN CONFERENCE

CCR HS HCS SS SCS SB 781, as amended, relating to desegregation, was taken up by Representative Stoll.

On motion of Representative Stoll, **CCR HS HCS SS SCS SB 781, as amended,** was adopted by the following vote:

AYES: 108

Alter Backer Barry 100 Bartlett Bauer

Bennett Bonner Boucher Bray 84 Burton

Campbell Carter Chrismer Cierpiot Clayton

Cooper Copeland Crump Daniels 41 Davis 122

Days DeMarce Dolan Donovan Dougherty

Farnen Fitzwater Foley Franklin Fritts

Gibbons Graham 106 Graham 24 Green Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Heckemeyer Hickey Hollingsworth Hoppe

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Koller Lakin

Lawson Leake Levin Liese Lograsso

Luetkenhaus May 108 Mays 50 McClelland McLuckie

Merideth Monaco Murray O'Connor O'Toole

Ostmann Overschmidt Parker Pouche Ransdall

Reinhart Relford Reynolds Ridgeway Rizzo

Ross Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Vogel Wiggins Williams 121

Williams 159 Wilson Mr. Speaker

NOES: 052

Akin Auer Ballard Barnett Bartelsmeyer

Berkstresser Bland Boatright Broach Champion

Crawford Daniel 42 Edwards-Pavia Elliott Enz

Evans Ford Foster Froelker Gaskill

Gaston Gratz Hartzler 124 Hegeman Hendrickson

Hilgemann Hohulin Holand Hosmer Klindt

Kreider Legan Linton Long Loudon

Marble McBride Miller Murphy Naeger

Nordwald Patek Pryor Purgason Richardson

Robirds Sallee Shelton 57 Surface Townley

Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 002

Davis 63 Shear

VACANCIES: 001

On motion of Representative Stoll, **CCS HS HCS SS SCS SB 781** was truly agreed to and finally passed by the following vote:

AYES: 110

Alter Backer Barry 100 Bartlett Bauer

Bennett Bonner Boucher Bray 84 Broach

Burton Campbell Carter Chrismer Cierpiot

Clayton Cooper Copeland Crump Daniels 41
Davis 122 Days DeMarce Dolan Donovan
Dougherty Farnen Fitzwater Foley Franklin
Fritts Gibbons Graham 106 Graham 24 Green
Griesheimer Gross Gunn Hagan-Harrell Hall
Harlan Hartzler 123 Hendrickson Hickey Hollingsworth
Hoppe Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Koller
Lakin Lawson Leake Levin Liese
Linton Lograsso Luetkenhaus May 108 Mays 50
McClelland McLuckie Merideth Monaco Murray
O'Connor O'Toole Ostmann Overschmidt Parker
Pouche Ransdall Reinhart Relford Reynolds
Ridgeway Rizzo Ross Scheve Schilling
Schwab Scott Secrest Seigfreid Sheldon 104
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Thomason 163 Thompson 37
Thompson 72 Treadway Troupe Van Zandt Vogel
Wiggins Williams 121 Williams 159 Wilson Mr. Speaker

NOES: 050

Akin Auer Ballard Barnett Bartelsmeyer
Berkstresser Bland Boatright Champion Crawford
Daniel 42 Edwards-Pavia Elliott Enz Evans
Ford Foster Froelker Gaskill Gaston
Gratz Hartzler 124 Heckemeyer Hegeman Hilgemann
Hohulin Holand Hosmer Klindt Kreider
Legan Long Loudon Marble McBride
Miller Murphy Naeger Nordwald Patek
Pryor Purgason Richardson Robirds Sallee
Shelton 57 Surface Townley Wannenmacher Wooten

PRESENT: 000

ABSENT WITH LEAVE: 002

Davis 63 Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative DeMarce moved that the vote by which the bill passed be reconsidered.

Representative Johnson moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1197**, entitled:

An act to amend chapter 620, RSMo, by adding thereto twelve new sections for the purpose of establishing the family development account program.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1197, Page 1, Section A, Line 4, by inserting immediately after all of said line the following:

"135.326. As used in sections 135.325 to 135.339, the following terms shall mean:

(1) "Business entity", person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo;

(2) "Handicap", a mental, physical, or emotional impairment that substantially limits one or more major life activities, whether the impairment is congenital or acquired by accident, injury or disease, and where the impairment is verified by medical findings;

(3) "Nonrecurring adoption expenses", reasonable and necessary adoption fees, court costs, attorney fees, and other expenses which are directly related to the legal adoption of a special needs child and which are not incurred in violation of federal, state, or local law;

(4) "Special needs child", a child for whom it has been determined by the division of family services, ***or*** *by a child placing agency licensed by the state, or by a court of competent jurisdiction to be a child:*

(a) That cannot or should not be returned to the home of his or her parents; [and] ***or***

(b) Who has a specific factor or condition such as ethnic background, age, membership in a minority or sibling group, medical condition, or handicap because of which it is reasonable to conclude that such child cannot be easily placed with adoptive parents; [and] ***or***

(c) Except where it would be against the best interests of the child because of such factors as the existence of significant emotional ties with prospective adoptive parents while in the care of such parents as a foster child, a reasonable, but unsuccessful, effort has been made to place the child with appropriate adoptive parents;

(5) "State tax liability", any liability incurred by a taxpayer under the provisions of chapter 143, RSMo, chapter 147, RSMo, chapter 148, RSMo, and chapter 153, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions.

135.327. ***1.*** *Any person residing in this state who [legally adopts]* ***proceeds in good faith with the adoption of*** *a*

*special needs child on or after January 1, [1988] **1999**, shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child [adopted] that may be applied to taxes due under chapter 143, RSMo. Any business entity providing funds to an employee to enable that employee to [legally adopt] **proceed in good faith with the adoption of** a special needs child shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child [adopted] that may be applied to taxes due under such business entity's state tax liability, except that only one ten thousand dollar credit is available for each special needs child that is adopted.*

2. Individuals and business entities may claim a tax credit for their total nonrecurring adoption expenses in each year that the expenses are incurred. A claim for fifty percent of the credit shall be allowed when the child is placed in the home. A claim for the remaining fifty percent shall be allowed when the adoption is final. The total of these tax credits shall not exceed the maximum limit of ten thousand dollars per child. The cumulative amount of tax credits which may be claimed by taxpayers for nonrecurring adoption expenses in any one fiscal year shall not exceed two million dollars.

3. Notwithstanding any provision of law to the contrary, any individual or business entity may assign tax credits allowed in this section to the not for profit organization involved in the adoption proceedings.

*135.333. **1.** Any amount of tax credit which exceeds the tax due shall not be refunded but may be carried over to any subsequent taxable year, not to exceed a total of five years for which a tax credit may be taken for each child adopted.*

***2. Tax credits that are assigned to not for profit organizations as allowed in section 135.326, RSMo, may be assigned in their entirety notwithstanding the taxpayer's tax due.**"; and*

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1536**, entitled:*

An act to repeal sections 302.291 and 302.282, RSMo 1994, and to enact in lieu thereof two new sections relating to the reporting and examination of of impaired drivers, with penalty provisions and an effective date.

In which the concurrence of the House is respectfully requested.

BILL IN CONFERENCE

***CCR HS HCS SCS SBs 614, 696, 906, 530, 912 & 914**, relating to judiciary, was taken up by Representative May (108).*

*On motion of Representative May (108), **CCR HS HCS SCS SBs 614, 696, 906, 530, 912 & 914** was adopted by the following vote:*

AYES: 143

Akin Alter Auer Backer Barnett

Barry 100 Bartlett Bennett Berkstresser Bland

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Clayton Cooper Crawford Crump Daniel 42

Daniels 41 Davis 122 Days DeMarce Dolan

Donovan Dougherty Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Fritts Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Gross Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Lograsso Long Luetkenhaus Marble May 108

Mays 50 McBride McClelland Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 013

Ballard Bartelsmeyer Bauer Boatright Edwards-Pavia

Froelker Griesheimer Hartzler 124 Hohulin Loudon

Murphy Robirds Townley

PRESENT: 000

ABSENT WITH LEAVE: 006

Copeland Davis 63 Franklin Linton McLuckie

Shear

VACANCIES: 001

On motion of Representative May (108), ***CCS HS HCS SCS SBs 614, 696, 906, 530, 912 & 914*** *was truly agreed to and finally passed by the following vote:*

AYES: 140

Akin Alter Auer Backer Barnett

Barry 100 Bartlett Bennett Berkstresser Bland

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Clayton Cooper Crawford Crump Daniels 41

Davis 122 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Fritts

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Heckemeyer Hendrickson

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Ross

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 017

Ballard Bartelsmeyer Bauer Boatright Edwards-Pavia

Froelker Griesheimer Hartzler 124 Hegeman Hohulin

Klindt Loudon Murphy Robirds Sallee

Shields Townley

PRESENT: 000

ABSENT WITH LEAVE: 005

Copeland Daniel 42 Davis 63 Franklin Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in ***HS HCS SCS SB 659****, and requests that the House to recede from its position or, failing to do so, grant the Senate a conference thereon.*

BILL CARRYING REQUEST MESSAGE

HS HCS SCS SB 659, *relating to deputy sheriffs, was taken up by Representative Crump.*

Representative Crump moved that the House refuse to recede from its position on ***HS HCS SCS SB 659,*** *and grant the Senate a conference.*

Which motion was adopted.

BILL IN CONFERENCE

CCR#2 HS HCS SB 487, as amended, *relating to towing, was taken up by Representative Auer.*

Representative Auer moved that ***CCR#2 HS HCS SB 487, as amended,*** *be adopted.*

Which motion was defeated by the following vote:

AYES: 040

Auer Barry 100 Bauer Bonner Burton

Carter Clayton Crump Daniels 41 Davis 122

Dolan Foley Franklin Graham 106 Green

Gunn Hagan-Harrell Hickey Hilgemann Hollingsworth

Hoppe Kasten Kennedy Kreider Leake

Loudon May 108 Murray O'Connor O'Toole

Overschmidt Patek Rizzo Scheve Schilling

Shelton 57 Treadway Wannenmacher Wiggins Mr. Speaker

NOES: 111

Akin Alter Backer Ballard Barnett

Bartelsmeyer Bartlett Bennett Berkstresser Bray 84

Broach Campbell Champion Chrismer Cierpiot

Cooper Crawford Days DeMarce Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Ford Foster Fritts

Froelker Gaskill Gaston Gibbons Graham 24

Gratz Griesheimer Gross Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hohulin

Holand Hosmer Howerton Johnson Kauffman

Kelley 47 Kelly 27 Kissell Klindt Koller

Lakin Lawson Legan Levin Liese

Linton Lograsso Long Luetkenhaus Marble

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Nordwald Ostmann

Parker Pouche Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Robirds

Ross Sallee Schwab Scott Secrest

Seigfreid Sheldon 104 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Van Zandt Vogel Williams 121 Williams 159 Wilson

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland Boatright Boucher Copeland Daniel 42

Davis 63 Hall Naeger Pryor Shear

Troupe

VACANCIES: 001

Representative Auer moved that the House refuse to adopt ***CCR#2 HS HCS SB 487, as amended,*** *and request the Senate to grant the House further conference.*

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted ***HCS SS SCS SBs 583 & 645, as amended,*** *and has taken up and passed* ***HCS SS SCS SBs 583 & 645, as amended****.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted ***HCS SB 674, as amended,*** *and has taken up and passed* ***HCS SB 674, as amended****.*

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted ***HCS SS SB 792, as amended,*** *and has taken up and passed* ***HCS SS SB 792, as amended****.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted ***HCS SCS SB 922, as amended****, and has taken up and passed* ***HCS SCS SB 922, as amended****.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on ***SCS HB 1683, as amended****, and has taken up and passed* ***CCS SCS HB 1683****.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on ***HS SB 743, as amended by Conference Committee Amendment No. 1****, and has taken up and passed* ***CCS HS SB 743, as amended by the CCR****.*

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on ***HCS HB 1189, as amended****, and has taken up and passed* ***CCS HCS HB 1189****.*

BILL CARRYING REQUEST MESSAGE

SS SCS HS HCS HB 1095, as amended, *relating to governmental meetings and records, was taken up by Representative Smith.*

Representative Smith moved that the House grant the Senate a further conference on ***SS SCS HS HCS HB 1095, as amended****.*

Which motion was adopted.

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS SCS HS HCS HB 1095*: Representatives Smith, Gaw, Davis (122), Legan and Elliott*

BILL CARRYING REQUEST MESSAGE

HS HCS SB 619*, relating to moter fuel tax, was taken up by Representative Stoll.*

Representative Stoll moved that the House refuse to recede from its position on ***HS HCS SB 619*** *and grant the Senate a conference and the House conferees be allowed to exceed the differences on House Substitute Amendment No. 1 for House Amendment No. 2.*

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

***HS HCS SCS SB 659**: Representatives Crump, Kissell, Ransdall, Barnett and Alter*

***HS HCS SB 619**: Representatives Stoll, Leake, Wiggins, Edwards-Pavia and Marble*

MESSAGES FROM THE SENATE

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1526**, entitled:*

An act to repeal sections 367.044, 367.045, 367.047, 367.048 and 367.050, RSMo 1994, relating to pledged property, and to enact in lieu thereof nineteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1434**, entitled:*

An act to repeal section 301.177, RSMo 1994, sections 301.025, 301.129, 301.131, 301.140, 301.145, 301.177, 301.441, 301.443, 301.444, 301.445, 301.447, 301.448, 301.449, 301.451, 301.453, 301.454, 301.456, 301.457, 301.458, 301.459, 301.461, 301.462, 301.463, 301.464, 301.465 and 301.466, RSMo Supp. 1997, sections 301.130 and 301.144, as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 70 of the first regular session of the eighty-eighth general assembly, and sections 301.130 and 301.144, as enacted by house committee substitute for senate substitute for senate bill no. 3 of the first regular session of the eighty-eighth general assembly, relating to motor vehicle license plates, and to enact in lieu thereof forty-three new sections relating to the same subject, with an emergency clause.

Senate Amendment No. 1, Senate Amendment No. 2, and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1434, Page 13, Section 301.144, Line 6, by striking the word "passenger"; and

*Further amend said bill, page 15, Section 301.177, line 3, by striking the word "fifteen" and inserting in lieu thereof the following: "**thirty**"; and*

*Further amend said bill and section, page 16, line 19, by striking the word "fifteen" and inserting in lieu thereof the following: "**thirty**"; and*

*Further amend line 20, by striking the words "issuance by the director to the buyer" and inserting in lieu thereof the word "**purchase**"; and*

*Further amend said bill, page 44, Section 13, line 4, by inserting immediately after "owner." the following: "**The director may issue a tab to the owner to be placed upon the existing plate as proof of registration.**".*

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1434, Page 47, Section 15, Line 31, by inserting after all of said line the following:

*"**Section 16. 1. Any paramedic or emergency medical technician may apply for emergency medical services license plates for any motor vehicle such person owns, either solely or jointly, for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, RSMo, or for a local or nonlocal***

property-carrying commercial motor vehicle licensed for a gross weight not in excess of twelve thousand pounds as provided in section 301.057 or 301.058, RSMo.

2. Any such person shall make application for the emergency medical services license plates on a form provided by the director of revenue and furnish proof of being a paramedic or emergency medical technician as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the director with the words "EMERGENCY MEDICAL SERVICES" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo. Such plates shall also bear an emblem representing emergency medical services.

3. There shall be a fifteen-dollar fee in addition to the regular registration fees charged for a set of emergency medical services license plates issued or renewed pursuant to this section. No more than one set of emergency medical services license plates may be issued to a qualified applicant. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered coowner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.*"; and*

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1434, Page 47, Section 15, Line 31, by inserting after said line the following:

*"**Section 16. 1. Any person may receive special license plates as prescribed in this section after an annual payment of an emblem-use authorization fee to the Missouri Drug Abuse Resistance Education (D.A.R.E.) Officers' Association. The Missouri D.A.R.E. Officers' Association hereby authorizes the use of its official emblem to be affixed on multi-year personalized license plates as provided in this section.***

2. Any contribution to the Missouri D.A.R.E. Officers' Association derived from this section, except reasonable administrative costs, shall be used solely for the purpose of promoting and supporting the objectives of the Missouri D.A.R.E. Officers' Association. Any person may annually apply for the use of the emblem.

3. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Missouri D.A.R.E. Officers' Association, the association shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the person to the director of the department of revenue at the time of registration of a motor vehicle.

4. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, RSMo, and other fees and documents which may be required by law, the director shall issue a personalized license plate, which shall bear the emblem of the Missouri D.A.R.E. Officers' Association in a form prescribed by the director to the vehicle owner. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo.

5. A vehicle owner, who was previously issued a plate with the Missouri D.A.R.E. Officers' Association's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri D.A.R.E. Officers' Association's emblem, as otherwise provided by law.

6. The director of the department of revenue shall promulgate rules and regulations for the administration of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.*"; and*

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

THIRD READING OF SENATE BILLS

HCS SS SCS SB 596*, relating to treatment of animals, was taken up by Representative Leake.*

Representative Leake offered ***HS#2 HCS SS SCS SB 596.***

Representative McBride offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 596, Page 1, In the Title, Line 2, by deleting the word "section" and inserting in lieu thereof the following: "sections 252.043 and"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the words "animal abandonment" and inserting in lieu thereof the words "the treatment of animals"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the words "one new section" and inserting in lieu thereof the words "five new sections"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following: "Section A. Sections 252.043 and 578.009, RSMo 1994, are repealed and five new sections enacted in lieu thereof, to be known as sections 252.043, 252.228, 252.244, 252.247 and"; and

Further amend said bill, Page 1, Section A, Line 10, by inserting after all of said line the following:

"252.043. The commission may suspend, revoke or deny a hunting permit or privilege for a maximum of five years when a person, while hunting, inflicts injury by firearm or other weapon to another person who is mistaken for game. No suspension, revocation or denial shall occur until an opportunity has been afforded for a hearing before the commission. Any person who is determined by the commission to have inflicted injury by firearm or other weapon shall be required to successfully complete a department-approved hunter safety course before his ***or her*** *hunting permit or privilege shall be restored. The commission's proceeding shall be a contested case pursuant to chapter 536, RSMo, and any person aggrieved by a final decision shall be entitled to judicial review as provided in chapter 536, RSMo.* ***If there is a mitigating, exculpatory or other extenuating circumstance or circumstances in connection with the inflicted injury, in addition to the judicial review provided in chapter 536, RSMo, any time after the commission's ruling, an aggrieved person is entitled to review by the circuit court in the county where the aggrieved person resides. If the court finds a sufficient mitigating, exculpatory or other extenuating circumstance or circumstances in connection with the inflicted injury, the court may modify the commission's suspension or revocation of the aggrieved person's hunting privileges.***

252.228. 1. Individual hunting, fishing and trapping permit records maintained by the department of conservation, including address, telephone number, personal identifying characteristics, date of birth and unique identification numbers shall be available to:

(1) Any court;

(2) Any law enforcement agency;

(3) The U.S. Fish and Wildlife Service or its successor agency as provided by federal regulation for migratory bird surveys;

(4) Any state department, division, agency, bureau, board, commission, employee or agent thereof in the performance of any statutory or constitutional duty;

(5) Any political subdivision;

(6) Any agency of another state; and

(7) The holder of the permit.

2. Such information shall be inaccessible to all other persons when the holder of the permit has so requested in writing. Individual credit card numbers are closed records and shall not be released pursuant to sections

610.021, RSMo.

252.244. 1. Any political subdivision, elementary or secondary school, or any charitable, religious, fraternal or other not for profit organization may prepare or serve wild game, provided that there shall be no charge for the wild game served, in connection with:

(1) The organization's meetings;

(2) A fund-raising event; or

(3) Meals provided to indigent persons free of charge or at a reduced rate.

2. Except for venison donated or distributed pursuant to section 537.115, RSMo, an organization preparing or serving wild game shall visibly post at the entrance to the dining area a sign bearing the following message: "Public Notice: The wild game served at this facility has not been subject to state or federal inspection". The words of the message shall be written or printed in letters of not less than three-fourths of an inch high and three-fourths of an inch wide, and shall be readable.

3. Any individual or group of individuals may donate wild game, or collect and transport wild game to an organization pursuant to subsection 1 of this section, provided such wild game has been legally taken according to law and the rules and regulations relating to wildlife. Any wild game donated shall be accompanied by the name, address and phone number of the individual making such donation and shall be affixed to the individual package or the container holding more than one package.

4. In accordance with the rules and regulations relating to wildlife, any wild game that is captured or killed to prevent private property damage may be donated to any charitable organization approved by the department of conservation. The department shall maintain a list of approved organizations and shall make the list available upon request.

5. For purposes of this section, "wild game" shall include, but not be limited to, bear, deer, elk, hares, moose, rabbits, fox squirrels, black and gray squirrels, muskrat and game birds, except migratory birds regulated by the federal government, as defined by the rules and regulations relating to wildlife.

252.247. 1. The conservation commission may enter into an interstate wildlife violators compact with any one or more states.

2. The commission may adopt such rules as are necessary for the implementation of the compact.".

Speaker Pro Tem Kreider resumed the Chair.

On motion of Representative McBride, House Amendment No. 1 was adopted.

Representative May (108) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 596, Page 1, In the Title, Line 2, by deleting the following: "section 578.009" and inserting in lieu thereof the following: "sections 575.010 and 578.009"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the words "one new section" and inserting in lieu thereof the words "four new sections"; and

Further amend said bill, Page 1, Section A, Line 8 to 10, by deleting all of said lines and inserting in lieu thereof the following: "Section A. Sections 575.010 and 578.009, RSMo 1994, are repealed and four new sections enacted in lieu thereof, to be known as sections 575.010, 575.335, 575.337 and 578.009, to read as follows:"; and

Further amend said bill, Page 1, Section A, Line 10, by inserting after all of said line the following:

"575.010. The following definitions shall apply to chapters 575 and 576, RSMo:

(1) ***"Accelerant detection canine", a canine used by law enforcement and fire departments to assist at fire scenes in a search for ignitable liquids used to instigate or accelerate a fire;***

(2) *"Affidavit" means any written statement which is authorized or required by law to be made under oath, and which is sworn to before a person authorized to administer oaths;*

[(2)] ***(3)*** *"Government" means any branch or agency of the government of this state or of any political subdivision thereof;*

[(3)] ***(4)*** *"Judicial proceeding" means any official proceeding in court, or any proceeding authorized by or held under the supervision of a court;*

[(4)] ***(5)*** *"Juror" means a grand or petit juror, including a person who has been drawn or summoned to attend as a prospective juror;*

[(5)] ***(6)*** *"Jury" means a grand or petit jury, including any panel which has been drawn or summoned to attend as prospective jurors;*

[(6)] ***(7)*** *"Official proceeding" means any cause, matter, or proceeding where the laws of this state require that evidence considered therein be under oath or affirmation;*

[(7)] ***(8)*** *"Public record" means any document which a public servant is required by law to keep;*

(9) "Public safety animal" means a dog, horse or other animal used in law enforcement or a correctional facility, or by a municipal police department, fire department, search and rescue unit or agency in the performance of the functions or duties of such department, search and rescue unit or agency, whether the animal is on duty or not on duty. The term shall include, but not be limited to, accelerant detection canines, bomb detection dogs, narcotic detection dogs, search and rescue canines and tracking animals;

[(8)] ***(10) "Search and rescue canine", a canine used by law enforcement, fire department, political subdivisions of the state and nonprofit volunteer search and rescue groups trained in finding human scent by the means of trailing, tracking or air-scenting for people;***

(11) *"Testimony" means any oral statement under oath or affirmation;*

[(9)] ***(12)*** *"Victim" means any natural person against whom any crime is deemed to have been perpetrated or attempted;*

[(10)] ***(13)*** *"Witness" means any natural person:*

(a) Having knowledge of the existence or nonexistence of facts relating to any crime; or

(b) Whose declaration under oath is received as evidence for any purpose; or

(c) Who has reported any crime to any peace officer or prosecutor; or

(d) Who has been served with a subpoena issued under the authority of any court of this state.

575.335. 1. A person commits the crime of killing a public safety animal when such person knowingly causes the death of a public safety animal when that animal is involved in a law enforcement investigation or apprehension, tracking, or search and rescue, or the animal is in the custody of or under the control of a law enforcement officer, department of corrections officer, municipal police department, fire department or a search and rescue unit or agency, or a member thereof, whether on duty or not on duty.

2. Killing a public safety animal is a class D felony.

575.337. 1. A person commits the crime of assault on a public safety animal when such person knowingly attempts to kill or knowingly causes or attempts to cause serious physical injury to a public safety animal when that animal is involved in law enforcement investigation, apprehension, tracking, or search and rescue, or the animal is in the custody of or under the control of a law enforcement officer, department of corrections officer, municipal police department, fire department or a search and rescue unit or agency.

2. Assault on a public safety animal is a class D felony.*".*

Representative Hosmer assumed the Chair.

Representative May (108) moved that House Amendment No. 2 be adopted.

Which motion was defeated.

Representative Campbell offered House Amendment No. 3.

Representative Leake raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

Representative Hosmer requested a Parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Elliott offered House Amendment No. 3.

Representative Louden raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

Representative Hosmer requested a Parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Speaker Gaw resumed the Chair.

Representative Monaco offered House Amendment No. 3.

Representative Leake raised a point of order that House Amendment No. 3 is incorrectly drafted.

The Chair ruled the point of order well taken.

Representative Patek offered House Amendment No 3.

House Amendment No. 3

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 596, Page 2, Section 578.009, Lines 3 to 5 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"2. ***A person is guilty of abandonment if:***

(1) Such person knowingly leaves an animal on property that he or she does not own or control; and

(2) Such person fails to provide for the adequate care of such animal.*".*

Representative Patek moved that House Amendment No. 3 be adopted.

Which motion was defeated.

Speaker Pro Tem Kreider resumed the Chair.

On motion of Representative Leake, ***HS#2 HCS SS SCS SB 596, as amended****, was adopted.*

On motion of Representative Leake, ***HS#2 HCS SS SCS SB 596, as amended,*** *was read the third time and passed by the following vote:*

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Champion Chrismer Clayton Cooper Copeland

Crawford Crump Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Dougherty Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Shelton 57

Shields Skaggs Smith Steen Stokan

Stroker Summers Surface Thomason 163 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 004

Edwards-Pavia Gaston Hohulin Patek

PRESENT: 000

ABSENT WITH LEAVE: 011

Carter Cierpiot Daniel 42 Davis 63 Holand

Kauffman Lograsso Shear Sheldon 104 Stoll

Thompson 37

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Wiggins moved that the vote by which the bill passed be reconsidered.

Representative Fritts moved that motion lay on the table.

The latter motion prevailed.

***HCS SS SB 478**, relating to probation and parole, was taken up by Representative Crump.*

*Representative Crump moved that **HCS SS SB 478** be adopted.*

Which motion was defeated.

*On motion of Representative Crump, **SS SB 478** was truly agreed to and finally passed by the following vote:*

AYES: 147

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Crump Daniels 41
Davis 122 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Froelker Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Green Griesheimer
Gross Gunn Hagan-Harrell Hall Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hickey
Hilgemann Hohulin Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Klindt Koller
Lakin Lawson Leake Legan Levin
Liese Long Loudon Luetkenhaus Marble
May 108 Mays 50 McBride McClelland Merideth
Miller Monaco Murphy Murray Naeger
Nordwald O'Connor O'Toole Ostmann Overschmidt
Parker Patek Pouche Pryor Purgason
Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schwab Scott Secrest Seigfreid

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wooten Mr. Speaker

NOES: 003

Hendrickson Schilling Wilson

PRESENT: 000

ABSENT WITH LEAVE: 012

Daniel 42 Davis 63 Fritts Holand Kreider

Linton Lograsso McLuckie Shear Sheldon 104

Shelton 57 Treadway

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Lawson, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Dougherty moved that motion lay on the table.

The latter motion prevailed.

***HCS SS SCS SBs 852 & 913**, relating to banking, was taken up by Representative Wannenmacher.*

Representative Green offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 852 & 913, Page 1, In the Title, Line 2, by inserting after the number "362.250" the following: ", 402.200"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following: "319.100, 319.131, 402.215 and 475.093, RSMo Supp. 1997, and to enact in lieu thereof eleven new sections"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the number "362.250" the following: ", 402.200"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting all of said line and inserting in lieu thereof the

following: "sections 319.100, 319.131, 402.215 and 475.093, RSMo Supp. 1997, and to enact in lieu thereof eleven new sections"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the following: "408.145 and 408.653" and inserting in lieu thereof the following: "402.200, 402.215, 408.145, 407.653 and 475.093"; and

Further amend said bill, Page 11, Section 362.250, Line 22, by inserting after all of said line the following:

"402.200. As used in sections 402.199 to 402.220, the following terms mean:

(1) "Board of trustees", the Missouri family trust board of trustees;

(2) "Charitable trust", the trust established to provide benefits for individuals, as set forth in section 402.215;

(3) "Department", the department of mental health;

(4) "Handicap", a mental or physical impairment that substantially limits one or more major life activities, whether the impairment is congenital or acquired by accident, injury or disease, and where the impairment is verified by medical findings;

(5) "Life beneficiary", a designated beneficiary of the Missouri family trust fund;

(6) "Net income", the earnings received on investments less administrative expenses and fees;

(7) ["Original contribution", the then principal balance of all contributions made to a particular account, but not including any appreciation in value of investments or accretions thereto resulting from any source, such as dividends, interest and capital gains. In no event shall "original contribution" mean more than the total of all contributions made to a particular account;] ***"Principal balance", the fair market value of all contributions made to a particular account, less distributions, determined as of the end of the calendar month immediately preceding the occurrence giving rise to any determination of principal balance;***

(8) "Requesting party", the party desiring arbitration;

(9) "Responding party", the other party in arbitration of a dispute regarding benefits to be provided by the trust;

(10) "Successor trust", the trust established upon distribution by the board of trustees pursuant to notice of withdrawal or termination and administered as set forth in section 402.215;

(11) "Trust", the Missouri family trust fund established pursuant to sections 402.200 to 402.220;

(12) "Trustee", a member of the Missouri family trust board of trustees.

402.215. 1. The board of trustees is authorized and directed to establish and administer the Missouri family trust. The board shall be authorized to execute all documents necessary to establish and administer the trust including the formation of a not for profit corporation created pursuant to chapter 355, RSMo, and to qualify as an organization pursuant to section 501(c)(3) of the United States Internal Revenue Code.

2. The trust documents shall include and be limited by the following provisions:

(1) The Missouri family trust fund shall be authorized to accept contributions from any source including trustees, personal representatives, personal custodians [under] ***pursuant to*** *chapter 404, RSMo, and other fiduciaries, other than directly from the life beneficiaries and their respective spouses, to be held, administered, managed, invested and distributed in order to facilitate the coordination and integration of private financing for individuals who have a handicap or are eligible for services provided by the Missouri department of mental health, or both, while maintaining the eligibility of such individuals for government entitlement funding. All contributions, and the earnings thereon, shall be administered as one trust fund; however, separate accounts shall be established for each designated beneficiary. The income earned, after deducting administrative expenses, shall be credited to the accounts of the respective life beneficiaries in proportion to the [amount of the contribution made]* ***principal balance in the account*** *for each such life beneficiary, [reduced from time to time by any distributions or encroachments,] to the total [contributions, reduced from time to time by any distributions or encroachments, made]* ***principal balances in the accounts*** *for all life beneficiaries.*

(2) Every donor may designate a specific person as the life beneficiary of the contribution made by such donor. In addition, each donor may name a cotrustee, including the donor, and a successor or successors to the cotrustee, to act with the trustees of the trust on behalf of the designated life beneficiary; provided, however, a life beneficiary shall not be eligible to be a cotrustee or a successor cotrustee; provided, however, that court approval of the specific person designated as life beneficiary and as cotrustee or successor trustee shall be required in connection with any trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo.

(3) The trust, with the consent of the cotrustee, shall annually agree on the amount of income or principal or

income and principal to be used to provide noncash benefits and the nature and type of benefits to be provided for the life beneficiary. Any net income which is not used shall be added to principal annually. In the event that the trust and the donor, serving as the cotrustee, shall be unable to agree either on the amount of income or principal or income and principal to be used for or the benefits to be provided, then none of the income or principal shall be used. In the event that the trust and the cotrustee, other than the donor, shall be unable to agree either on the amount of income or principal or income and principal to be used or the benefits to be provided, then either the trust or the cotrustee shall have the right to request that the matter be resolved by arbitration. The requesting party shall send a written request for arbitration to the responding party and shall in such request set forth the name, address and telephone number of such requesting party's arbitrator. The responding party shall, within ten days after receipt of the request for arbitration, set forth in writing to the requesting party the name, address and telephone number of the responding party's arbitrator. Copies of the request for arbitration and response shall be sent to the director of the department. If the two designated arbitrators shall be unable to agree upon a third arbitrator within ten days after the responding party shall have identified such party's arbitrator, then the director of the department shall designate the third arbitrator by written notice to the requesting and responding parties' arbitrators. The three arbitrators shall meet and render a decision within thirty days after the appointment of the third arbitrator. A decision of a majority of the arbitrators shall be binding upon the requesting and responding parties. Each party shall pay the fees and expenses of such party's arbitrator and the fees and expenses of the third arbitrator shall be borne equally by the parties.

(4) Any donor, during his ***or her*** *lifetime, except for a trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo, may revoke any gift made to the trust; provided, however, any donor may, at any time, voluntarily waive the right to revoke. In the event that at the time the donor shall have revoked his* ***or her*** *gift to the trust the life beneficiary shall not have received any benefits provided by use of trust income or principal, then an amount equal to one hundred percent of the [original contribution]* ***principal balance*** *shall be returned to the donor. Any undistributed net income shall be distributed to the charitable trust. In the event that at the time the donor shall have revoked his* ***or her*** *gift to the trust the life beneficiary shall have received any benefits provided by the use of trust income or principal, then an amount equal to ninety percent of the [original contribution, reduced by any distributions or encroachments of principal previously made,]* ***principal balance*** *shall be returned to the donor. The balance of the [original contribution, as reduced,]* ***principal balance*** *together with all undistributed net income, shall be distributed to the charitable trust.*

(5) Any acting cotrustee, except a cotrustee of a trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo, other than the original donor of a life beneficiary's account, shall have the right, for good and sufficient reason upon written notice to the trust and the department stating such reason, to withdraw all or a portion of the [original contribution, reduced by any distributions or encroachments of principal previously made] ***principal balance****. In such event, the applicable portion, as set forth below, of the [original contribution, as reduced by distributions or encroachments previously made for the benefit of the life beneficiary,]* ***principal balance*** *shall then be distributed to the successor trust and the balance of the [original contribution, as reduced,]* ***principal balance*** *together with any undistributed net income, shall be distributed to the charitable trust.*

(6) In the event that a life beneficiary for whose benefit a contribution or contributions shall have been made to the family trust fund, except a cotrustee of a trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo, shall move from the state of Missouri or otherwise cease to be eligible for services provided by the department of mental health and neither the donor nor the then acting cotrustee shall revoke or withdraw all of the [original contribution] ***principal balance****, then the board of trustees may, by written notice to such donor or acting cotrustee, terminate the trust as to such beneficiary and thereupon shall distribute the applicable portion, as set forth herein, of the [original contribution]* ***principal balance****, to the trustee of the successor trust to be held, administered and distributed by such trustee in accordance with the provisions of the successor trust described in subdivision [(9)]* ***(10)*** *of this subsection.*

(7) If at the time of withdrawal or termination as provided in subdivision (6) of this subsection of a life beneficiary's account from the trust either the life beneficiary shall not have received any benefits provided by the use of the trust income or principal or the life beneficiary shall have received benefits provided by the use of trust income or principal for a period of not more than five years from the date a contribution shall have first been made to the trust for such life beneficiary, then an amount equal to ninety percent of the [original contribution, reduced by any distributions or encroachments of principal previously made,] ***principal balance*** *shall be distributed to the successor trust, and the balance of the [original contribution, as reduced,]* ***principal balance*** *together with all undistributed net income, shall be distributed to the charitable trust; provided, however, if the life beneficiary at the time of such withdrawal by the cotrustee or termination as provided above shall have received any benefits provided by the use of trust income or principal for a period of more than five years from the date a contribution shall have first been made to the trust for such life beneficiary, then an amount equal to seventy-five percent of the [original contribution, reduced by any distributions or encroachments of principal previously made,]* ***principal balance*** *shall be distributed to the successor trust, and the balance of the [original contribution, as reduced,]* ***principal balance*** *together with all undistributed net income, shall be distributed to the charitable trust.*

(8) Subject to the provisions of subdivision (9) of this subsection, if the life beneficiary dies before receiving any benefits provided by the use of trust income or principal, then an amount equal to one hundred percent of the [original contribution] ***principal balance*** *shall be distributed to such person or persons as the donor shall have*

designated. Any undistributed net income shall be distributed to the charitable trust. If at the time of death of the life beneficiary, the life beneficiary shall have been receiving benefits provided by the use of trust income or principal or income and principal, then, in such event, an amount equal to seventy-five percent of the [original contribution, reduced by any distributions or encroachments of principal previously made,] ***principal balance*** *shall be distributed to such person or persons as the donor designated, and the balance of the [original contribution, as reduced]* ***principal balance****, together with all undistributed net income, shall be distributed to the charitable trust.*

(9) In the event the trust is created as a result of a distribution from a personal representative of an estate of which the life beneficiary is a distributee, then if the life beneficiary dies before receiving any benefits provided by the use of trust income or principal, an amount equal to one hundred percent of the [original contribution] ***principal balance*** *shall be distributed to such person or persons who are the life beneficiary's heirs at law. The balance, if any, of the [original contribution]* ***principal balance****, together with all undistributed income shall be distributed to the charitable trust. If at the time of death of the life beneficiary the life beneficiary shall have been receiving benefits provided by the use of trust income or principal or income and principal, then, an amount equal to seventy-five percent of the [original contribution, reduced by any distributions or encroachments of principal previously made,]* ***principal balance*** *shall be distributed to such person or persons who are the life beneficiary's heirs at law. The balance of the [original contribution]* ***principal balance****, together with all undistributed income shall be distributed to the charitable trust.*

(10) In the event the trust is created as a result of the recovery of damages by reason of a personal injury to the life beneficiary, then if the life beneficiary dies before receiving any benefits provided by the use of trust income or principal, the state of Missouri shall receive all amounts remaining in the trust up to an amount equal to the total medical assistance paid on behalf of such life beneficiary under a state plan under Title 42 of the United States Code, and then to the extent there is any amount remaining in the trust, an amount equal to one hundred percent of the [original contribution] ***principal balance*** *shall be distributed to such person or persons who are the life beneficiary's heirs at law. The balance, if any, of the [original contribution]* ***principal balance****, together with all undistributed income shall be distributed to the charitable trust. If at the time of death of the life beneficiary the life beneficiary shall have been receiving benefits provided by the use of trust income or principal or income and principal then the state of Missouri shall receive all amounts remaining in the trust up to an amount equal to the total medical assistance paid on behalf of such life beneficiary under a state plan under Title 42 of the United States Code, and then to the extent there is any amount remaining in the trust, an amount equal to seventy-five percent of the [original contribution, reduced by any distributions or encroachments or principal previously made,]* ***principal balance*** *shall be distributed to such person or persons who are the life beneficiary's heirs at law. The balance of the [original contribution]* ***principal balance****, together with all undistributed income, shall be distributed to the charitable trust.*

(11) Upon receipt of a notice of withdrawal from a designated cotrustee, other than the original donor, and a determination by the board of trustees that the reason for such withdrawal is good and sufficient, or upon the issuance of notice of termination by the board of trustees, the board of trustees shall distribute and pay over to the designated trustee of the successor trust the applicable portion of the [original contribution, reduced by any distributions or encroachments of principal previously made for the benefit of the beneficiary] ***principal balance****; provided, however, that court approval of distribution to a successor trustee shall be required in connection with any trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo. The designated trustee of the successor trust shall hold, administer and distribute the principal and income of the successor trust, in the discretion of such trustee, for the maintenance, support, health, education and general well-being of the beneficiary, recognizing that it is the purpose of the successor trust to supplement, not replace, any government benefits for the beneficiary's basic support to which such beneficiary may be entitled and to increase the quality of such beneficiary's life by providing [him]* ***the beneficiary*** *with those amenities which cannot otherwise be provided by public assistance or entitlements or other available sources. Permissible expenditures include, but are not limited to, more sophisticated dental, medical and diagnostic work or treatment than is otherwise available from public assistance, private rehabilitative training, supplementary education aid, entertainment, periodic vacations and outings, expenditures to foster the interests, talents and hobbies of the beneficiary, and expenditures to purchase personal property and services which will make life more comfortable and enjoyable for the beneficiary but which will not defeat his* ***or her*** *eligibility for public assistance. Expenditures may include payment of the funeral and burial costs of the beneficiary. The designated trustee, in his* ***or her*** *discretion, may make payments from time to time for a person to accompany the beneficiary on vacations and outings and for the transportation of the beneficiary or of friends and relatives of the beneficiary to visit the beneficiary. Any undistributed income shall be added to the principal from time to time. Expenditures shall not be made for the primary support or maintenance of the beneficiary, including basic food, shelter and clothing, if, as a result, the beneficiary would no longer be eligible to receive public benefits or assistance to which the beneficiary is then entitled. After the death and burial of the beneficiary, the remaining balance of the successor trust shall be distributed to such person or persons as the donor shall have designated.*

(12) The charitable trust shall be administered as part of the family trust fund, but as a separate account. The income attributable to the charitable trust shall be used to provide benefits for individuals who have a handicap or who are eligible for services provided by or through the department and who either have no immediate family or whose immediate family, in the reasonable opinion of the trustees, is financially unable to make a contribution to the trust sufficient to provide benefits for such individuals, while maintaining such individuals' eligibility for government entitlement funding. As used in this section, the term "immediate family"

includes parents, children and siblings. The individuals to be beneficiaries of the charitable trust shall be recommended to the trustees by the department and others from time to time. The trustees and the department shall annually agree on the amount of charitable trust income to be used to provide benefits and the nature and type of benefits to be provided by or through the department for each identified beneficiary of the charitable trust. Any income not used shall be added to principal annually."; and

Further amend said bill, Page 12, Section 408.653, Line 11, by adding after all of said line the following:

"475.093. 1. The court may authorize the establishment of a trust for the benefit of a protectee if it finds that the protectee qualifies as a life beneficiary pursuant to section 402.205, RSMo, and that the establishment of such a trust would be in the protectee's best interest.

2. A trust may be established in the best interest of the protectee pursuant to sections 402.199 to 402.225, RSMo, notwithstanding the fact that a sum not exceeding twenty-five percent of the [original contribution] ***principal balance*** *as defined in subdivision (7) of section 402.200, RSMo, will be distributed to the charitable trust as prescribed by section 402.215, RSMo.".*

On motion of Representative Green, House Amendment No. 1 was adopted.

Representative Liese offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 852 & 913, Page 1, In the title, Line 2, by inserting immediately before the figure "361.080" the figure "301.640,"; and

Further amend said bill, Page 1, In the title, Line 3, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, In the title, Line 4, by inserting after the word "banking" the following: ", with an effective date"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word "Sections" the figure "301.640,"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the word "sections" the figure "301.640,"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said line the following:

"301.640. 1. Upon the satisfaction of [a] ***any*** *lien or encumbrance of a motor vehicle or trailer for which the certificate of ownership is in possession of the lienholder, he shall, within ten* ***business*** *days [after demand and, in any event, within thirty days,] release his lien or encumbrance on the certificate, and mail or deliver the certificate to the next lienholder named therein, or, if none, to the owner or any person who delivers to the lienholder an authorization from the owner to receive the certificate. The owner may cause the certificate to be mailed or delivered to the director of revenue, who shall issue a new certificate of ownership upon application and payment of the required fee.* ***A lien or encumbrance shall be satisfied for the purposes of this section when a lienholder receives payment in full in the form of certified funds, as defined in section 381.410, RSMo.***

2. Upon the satisfaction of [a] ***any*** *lien or encumbrance in a motor vehicle or trailer for which a certificate is in possession of a prior lienholder, the lienholder whose lien or encumbrance is satisfied shall within ten* ***business*** *days [after demand and, in any event, within thirty days,] release the lien or encumbrance on the certificate and deliver the certificate to the owner or any person who delivers to the lienholder an authorization from the owner to receive it. The lienholder in possession of the certificate shall at the request of the owner and upon surrender of the certificate of title by the owner and receipt of the required fee, either mail or deliver the*

certificate of ownership to the director of revenue, or deliver the certificate to the owner, or the person authorized by him, for delivery to the director of revenue, who shall issue a new certificate.

3. If the purchase price of a motor vehicle or trailer did not exceed six thousand dollars at the time of purchase, a lien or encumbrance which was not perfected by a motor vehicle financing corporation whose net worth exceeds one hundred million dollars, or a depository institution, shall be considered satisfied within six years from the date the lien or encumbrance was originally perfected unless a new lien or encumbrance has been perfected as provided in section 301.600. This subsection does not apply to motor vehicles or trailers for which the certificate of ownership has recorded in the second lienholder portion the words "subject to future advances".

4. Any lienholder who fails to comply with subsection 1 or 2 of this section shall pay to the person or persons satisfying the lien or encumbrance twenty-five dollars for the first ten business days after expiration of the time period prescribed in subsection 1 or 2 of this section, and such payment shall double for each ten days thereafter in which there is continued noncompliance, up to a maximum of five hundred dollars for each lien. If delivery of the certificate is made by mail, the delivery date is the date of the postmark for purposes of this subsection.

Section B. Section A of this act shall become effective on January 1, 1999.".

On motion of Representative Liese, House Amendment No. 2 was adopted.

Representative Wiggins offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 852 & 913, Page 1, In the title, Line 2, by inserting after the words "repeal sections" the figure "30.753,"; and

Further amend said bill, Page 1, In the title, Line 3, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word "Sections" the figure "30.753,"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the word "sections" the figure "30.753,"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said line the following:

*"30.753. 1. The state treasurer may invest in linked deposits; however, the total amount so deposited at any one time shall not exceed, in the aggregate, three hundred fifty million dollars. No more than one hundred sixty-five million dollars of the aggregate deposit shall be used for linked deposits to eligible farming operations, eligible agribusinesses, eligible beginning farmers and eligible livestock operations, no more than fifty-five million of the aggregate deposit shall be used for linked deposits to small businesses, no more than ten million dollars of the aggregate deposit shall be used for linked deposits to eligible residential property developers and eligible residential property owners, no more than one hundred ten million dollars of the aggregate deposit shall be used for linked deposits to eligible job enhancement businesses and no more than ten million dollars of the aggregate deposit shall be used for linked deposit loans to eligible water systems. Linked deposit loans may be made to eligible student borrowers from the aggregate deposit. If demand for a particular type of linked deposit exceeds the initial allocation, and funds initially allocated to another type are available and not in demand, the state treasurer may commingle allocations among the types of linked deposits. The amount reallocated under this commingling provision shall not exceed [ten] **fifty** percent of the initial allocation.*

2. The minimum deposit to be made by the state treasurer to an eligible lending institution for eligible job enhancement business loans shall be ninety thousand dollars. Linked deposit loans for eligible job enhancement businesses may be made for the purposes of assisting with relocation expenses, working capital, interim construction, inventory, site development, machinery and equipment, or other expenses necessary to create or retain jobs in the recipient firm.".

On motion of Representative Wiggins, House Amendment No. 3 was adopted.

Representative Auer offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 852 and 913, Page 1, In the Title, Line 2, by inserting after the number "362.250" the following: ", 376.1075"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the number "362.250" the following: ", 376.1075"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the number "362.250," the number "376.1075,"; and

Further amend said bill, Page 11, Section 362.250, Line 22, by inserting after all of said line the following:

"376.1075. As used in sections 376.1075 to 376.1095, the following terms mean:

(1) "Administrator", "third-party administrator" or "TPA", a person who directly or indirectly solicits or effects coverage of, underwrites, collects charges or premiums from, or adjusts or settles claims on residents of this state, or residents of another state from offices in this state, in connection with life or health insurance coverage, annuities, or workers' compensation except any of the following:

(a) An employer on behalf of its employees or the employees of one or more subsidiary or affiliated corporations of such employer;

(b) A union on behalf of its members;

(c) An insurance company which is either licensed in this state pursuant to the requirements of this chapter or chapter 379, RSMo;

(d) An insurer authorized to do insurance business in another state pursuant to similar laws, with respect to a policy lawfully issued and delivered in a state other than this state, when engaged in transacting the business of insurance as defined by this chapter and chapter 379, RSMo;

(e) A health service corporation, health maintenance organization or prepaid dental plan operating pursuant to the requirements of chapter 354, RSMo, when engaged in its duties of providing health care or dental services and indemnifying its members;

(f) A life or health agent or broker licensed in this state, whose activities are limited exclusively to the sale of insurance;

(g) A creditor on behalf of its debtors with respect to insurance covering a debt between the creditor and its debtors;

(h) A trust, its trustees, agents and employees acting thereunder, established in conformity with 29 U.S.C. 186;

(i) A trust exempt from taxation under section 501(a) of the Internal Revenue Code, its trustees, and employees acting thereunder;

(j) A custodian, its agents and employees acting pursuant to a custodian account which meets the requirements of section 401(f) of the Internal Revenue Code;

(k) A bank, credit union or other financial institution which is subject to supervision or examination by federal or state banking authorities;

(l) A credit card issuing company which advances for and collects premiums or charges from its credit card holders who have authorized it to do so, provided such company does not adjust or settle claims;

(m) A person who adjusts or settles claims in the normal course of his ***or her*** *practice or employment as an attorney at law, and who does not collect charges or premiums in connection with life or health insurance coverage or annuities;*

(n) An adjuster [licensed by this state] whose activities are limited to adjustment of claims ***and who is either licensed by this state or working on behalf of a licensed workers' compensation insurer****;*

(o) A person licensed as an insurance agent in this state, whose activities are limited exclusively to the activities of a managing general agent;

(2) "Affiliate" or "affiliated", any entity or person who directly or indirectly through one or more intermediaries, controls or is controlled by, or is under common control with, a specified entity or person;

(3) "Control", as defined in chapter 382, RSMo;

(4) "Director", the director of the department of insurance;

(5) "Insurance" or "insurance coverage", any coverage offered or provided by an insurer;

(6) "Insurer", any person undertaking to provide life or health insurance coverage, annuities or workers' compensation coverage in this state. For the purposes of sections 376.1075 to 376.1095, insurer includes a licensed insurance company, a prepaid hospital or medical care plan, a health maintenance organization, a multiple employer self-insured health plan, a self-insured multiple employer welfare arrangement, or any other person providing a plan of insurance subject to state insurance regulation. Insurer does not include a bona fide employee benefit plan established by an employer or an employee organization, or both, for which the insurance laws of this state are preempted pursuant to the Employee Retirement Income Security Act of 1974;

(7) "Underwrites" or "underwriting" means, but is not limited to, the acceptance of employer or individual applications for coverage of individuals in accordance with the written rules of the insurer, the overall planning and coordinating of an insurance program, and the ability to procure bonds and excess insurance.".

On motion of Representative Auer, House Amendment No. 4 was adopted.

Representative Graham (24) offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 852 & 913, Page 1, In the title, Line 3, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the word and number "and 408.653" and inserting in lieu thereof the following: ", 408.653 and 1"; and

Further amend said bill, Page 12, Section 408.653, Line 11, by adding after all of said line the following:

*"****Section 1. 1. For the purposes of this section, the term "credit card" shall mean a credit device defined as such in the federal Consumer Credit Protection Act.***

2. Any entity that issues credit cards in this state, delivers credit cards in this state or causes credit cards to be delivered in this state shall not make any report to a credit reporting agency on any credit card holder solely because such credit card holder has paid the entire outstanding balance on such credit card by the payment date.

3. Any entity that violates subsection 2 of this section shall be liable to the credit card holder for slander of credit.

4. Nothing herein shall authorize or prohibit an entity from suspending credit card privileges or recalling the issued credit card for any purpose.*".*

Representative Lograsso offered House Amendment No. 1 to House Amendment No. 5.

House Amendment No. 1

to

House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 852 & 913, Page 2, Section 1, Line 4 of said page, by adding the word "derogatory" between the words "any" and "report" and further amend said amendment, page 2, lines 8 and 9 of said page, by deleting all of said lines and on line 10 of said page, by deleting the number "4" and inserting in lieu thereof the number "3".

On motion of Representative Lograsso, House Amendment No. 1 to House Amendment No. 5 was adopted.

Representative Loudon offered House Amendment No. 2 to House Amendment No. 5.

Representative Monaco raised a point of order that House Amendment No. 2 to House Amendment No. 5 is in the third degree.

The Chair ruled the point of order not well taken.

Representative Monaco raised a point of order that House Amendment No. 2 to House Amendment No. 5 amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Monaco raised a point of order that House Amendment No. 2 to House Amendment No. 5 is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Graham (24), House Amendment No. 5, as amended, was adopted.

Representative Monaco offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 852 & 913, Page 1, In the Title, Line 2, by deleting the word and number "and 408.653" and inserting in lieu thereof the following: ", 408.653 and 448-3.116,"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word and number "and 408.653" and inserting in lieu thereof the following: ", 408.653 and 448-3.116"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the word and number "and 408.653" and inserting in lieu thereof the following: ", 408.653 and 448-3.116"; and

Further amend said bill, Page 12, Section 408.653, Line 11, by adding after all of said line the following:

"448.3-116. 1. The association has a lien on a unit for any assessment levied against that unit or fines imposed against its unit owner from the time the assessment or fine becomes due. The association's lien may be foreclosed in like manner as a mortgage on real estate or a power of sale [under] ***pursuant to*** *chapter 443, RSMo. Unless the declaration otherwise provides, fees, charges, late charges, fines, and interest charged pursuant to subdivisions (10), (11), and (12) of subsection 1 of section 448.3-102 are enforceable as assessments [under]* ***pursuant to*** *this section. If an assessment is payable in installments, the full amount of the assessment is a lien from the time the first installment thereof becomes due.*

2. A lien [under] ***pursuant to*** *this section is prior to all other liens and encumbrances on a unit except:*

(1) Liens and encumbrances recorded before the recordation of the declaration;

(2) A mortgage and deed of trust for the purchase of a unit recorded before the date on which the assessment sought to be enforced became delinquent; [and]

(3) Liens for real estate taxes and other governmental assessments or charges against the unit[.];

(4) Except for delinquent assessments or fines, up to a maximum of six months' assessments or fines, which are due prior to any subsequent refinancing of a unit or for any subsequent second mortgage interest.

This subsection does not affect the priority of mechanics' or materialmen's liens, or the priority of liens for other assessments made by the association. The lien [under] ***pursuant to*** *this section is not subject to the provisions of section 513.475, RSMo.*

3. Unless the declaration provides otherwise, if two or more associations have liens for assessments created at any time on the same real estate, those liens have equal priority.

4. Recording of the declaration constitutes record notice and perfection of the lien. No further recordation of any claim of lien for assessment [under] ***pursuant to*** *this section is required.*

5. A lien for unpaid assessments is extinguished unless proceedings to enforce the lien are instituted within three years after the full amount of the assessments becomes due.

6. This section shall not prohibit actions to recover sums for which subsection 1 of this section creates a lien, or prohibit an association from taking a deed in lieu of foreclosure.

7. A judgment or decree in any action brought [under] ***pursuant to*** *this section shall include costs and reasonable attorney's fees for the prevailing party.*

8. The association shall furnish to a unit owner, upon written request, a recordable statement setting forth the amount of unpaid assessments against [his] ***the unit owner's*** *unit. The statement shall be furnished within ten business days after receipt of the request and is binding on the association, the executive board, and every unit owner.".*

On motion of Representative Monaco, House Amendment No. 6 was adopted.

Representative Loudon offered House Amendment No. 7.

Representative Wannenmacher raised a point of order that House Amendment No. 7 is not germane to the bill and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Wannenmacher, ***HCS SS SCS SBs 852 & 913, as amended,*** *was adopted.*

On motion of Representative Wannenmacher, ***HCS SS SCS SBs 852 & 913, as amended,*** *was read the third time and passed by the following vote:*

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniels 41 Davis 122

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Hegeman Hickey Hilgemann Hohulin

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 159 Wilson Wooten Mr. Speaker

NOES: 001

Hendrickson

PRESENT: 001

Williams 121

ABSENT WITH LEAVE: 010

Boucher Daniel 42 Davis 63 Foster Heckemeyer

Holand Linton Shear Sheldon 104 Stoll

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Treadway, title to the bill was agreed to.

Representative Kennedy moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on ***HS HCS SB 619, as amended****: Senators McKenna, Goode, Lybyer, Flotron and Ehlmann.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on ***HS HCS SCS SB 659****: Senators Caskey, Lybyer, Scott, Singleton and Klarich.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has reappointed the following Conference Committee on ***SS SCS HS HCS HB 1095, as amended****: Senators McKenna, Scott, Mathewson, Ehlmann and Childers.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on ***HB 1301, as amended****, and has taken up and passed* ***CCS HB 1301****.*

CONFERENCE COMMITTEE REPORT NO. 2

ON

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1095

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1095, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095, as amended;

3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1095 be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Philip G. Smith /s/ Bill P. McKenna

/s/ Steve Gaw /s/ John E. Scott

/s/ D. J. Davis /s/ Jim Mathewson

/s/ Ken Legan /s/ Steve Ehlmann

/s/ T. Mark Elliott /s/ Doyle Childers

BILL IN CONFERENCE

***CCR#2 SS SCS HS HCS HB 1095, as amended**, relating to governmental meetings and records, was taken up by Representative Smith.*

*On motion of Representative Smith, **CCR#2 SS SCS HS HCS HB 1095, as amended**, was adopted by the following vote:*

AYES: 150

Akin Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniels 41 Davis 122

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Marble May 108 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Overschmidt

Parker Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 006

Alter Gross Kasten Ostmann Patek

Schwab

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42 Davis 63 Foley Luetkenhaus Mays 50

Shear

VACANCIES: 001

On motion of Representative Smith, ***CCS#2 SS SCS HS HCS HB 1095*** *was read the third time and passed by the following vote:*

AYES: 145

Akin Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Clayton Cooper Copeland

Crawford Crump Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gunn

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lawson

Leake Legan Levin Linton Lograsso

Long Loudon Marble May 108 McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Overschmidt Parker Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 007

Alter Gross Kasten Kauffman Ostmann

Patek Schwab

PRESENT: 000

ABSENT WITH LEAVE: 010

Cierpiot Daniel 42 Davis 63 Lakin Liese

Luetkenhaus Mays 50 McBride Shear Stroker

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Leake, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Riback Wilson moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on ***HS HCS SB 619, as amended****, and has taken up and*

passed ***HS HCS SB 619, as amended****.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on ***SS SCS HS HCS HB 1095, as amended****, and has taken up and passed* ***CCS#2 SS SCS HS HCS HB 1095****.*

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HS HCS HB 971*, relating to juvenile court improvement act, was taken up by Representative Smith.*

Representative Smith moved that ***SS SCS HS HCS HB 971*** *be adopted.*

Representative Shields made a substitute motion that the House refuse to adopt ***SS SCS HS HCS HB 971*** *and request the Senate to recede from its position or, failing to do so, grant the House a conference.*

Representative Smith raised a point of order that the substitute motion is a negative motion.

The Chair ruled the point of order well taken.

On motion of Representative Smith, ***SS SCS HS HCS HB 971*** *was adopted by the following vote:*

AYES: 093

Alter Auer Ballard Bartlett Bauer

Bland Bonner Boucher Bray 84 Campbell

Carter Champion Clayton Copeland Crump

Daniels 41 Davis 122 Days DeMarce Dolan

Donovan Dougherty Farnen Fitzwater Foley

Ford Franklin Fritts Graham 106 Graham 24

Gratz Green Gunn Hagan-Harrell Harlan

Hartzler 123 Heckemeyer Hickey Hilgemann Hollingsworth

Hoppe Hosmer Johnson Kasten Kelly 27

Kennedy Kissell Kreider Lakin Lawson

Leake Legan Levin Liese Long

Luetkenhaus May 108 Mays 50 McBride McLuckie

Miller Monaco Murray O'Connor O'Toole

Overschmidt Parker Ransdall Relford Reynolds

Rizzo Ross Scheve Schwab Shelton 57

Skaggs Smith Stokan Stoll Stroker

Thomason 163 Thompson 37 Thompson 72 Treadway Troupe

Van Zandt Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 064

Akin Backer Barnett Bartelsmeyer Bennett

Berkstresser Boatright Broach Burton Chrismer

Cierpiot Cooper Crawford Edwards-Pavia Elliott

Enz Evans Foster Froelker Gaskill

Gaston Gibbons Griesheimer Gross Hartzler 124

Hegeman Hendrickson Hohulin Holand Howerton

Kauffman Kelley 47 Klindt Koller Linton

Lograsso Loudon Marble McClelland Merideth

Murphy Naeger Nordwald Ostmann Patek

Pouche Pryor Purgason Reinhart Richardson

Ridgeway Robirds Sallee Schilling Scott

Secrest Seigfreid Sheldon 104 Shields Steen

Summers Surface Townley Vogel

PRESENT: 001

Barry 100

ABSENT WITH LEAVE: 004

Daniel 42 Davis 63 Hall Shear

VACANCIES: 001

On motion of Representative Smith, ***SS SCS HS HCS HB 971*** *was truly agreed to and finally passed by the following vote:*

AYES: 124

Alter Auer Ballard Barnett Bartelsmeyer

Bartlett Bauer Bland Boatright Bonner

Boucher Bray 84 Broach Campbell Carter

Cierpiot Clayton Cooper Copeland Crawford

Crump Daniels 41 Davis 122 Days DeMarce

Dolan Donovan Dougherty Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Long Luetkenhaus Marble

May 108 McBride McClelland Miller Monaco

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Purgason

Ransdall Relford Reynolds Richardson Rizzo

Ross Sallee Scheve Schwab Scott

Seigfreid Shelton 57 Shields Skaggs Smith

Steen Stokan Stoll Stroker Summers

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 029

Akin Bennett Berkstresser Burton Champion

Chrismer Edwards-Pavia Elliott Enz Evans

Gaskill Gaston Gibbons Hendrickson Kelley 47

Linton Lograsso Loudon Merideth Murphy

Pouche Pryor Reinhart Ridgeway Robirds

Schilling Secrest Sheldon 104 Surface

PRESENT: 001

Barry 100

ABSENT WITH LEAVE: 008

Backer Daniel 42 Davis 63 Hall Mays 50

McLuckie Shear Van Zandt

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 119

Alter Auer Backer Ballard Barnett

Bartelsmeyer Bauer Berkstresser Bland Boatright

Bonner Boucher Bray 84 Broach Campbell

Carter Cierpiot Clayton Copeland Crump

Daniels 41 Davis 122 Days DeMarce Dolan

Donovan Dougherty Farnen Fitzwater Foley

Ford Foster Franklin Fritts Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hickey Hilgemann

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Long

Luetkenhaus May 108 Mays 50 McBride McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Overschmidt Parker

Purgason Ransdall Relford Reynolds Richardson

Rizzo Ross Scheve Schwab Scott

Seigfreid Sheldon 104 Shelton 57 Skaggs Smith

Stokan Stoll Stroker Summers Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 039

Akin Bartlett Bennett Burton Champion

Chrismer Cooper Crawford Edwards-Pavia Elliott

Enz Evans Froelker Gaskill Gross

Hegeman Hendrickson Hohulin Holand Kelley 47

Linton Lograsso Loudon Marble McClelland

Murphy Ostmann Patek Pouche Pryor

Reinhart Ridgeway Robirds Sallee Schilling

Secrest Shields Steen Surface

PRESENT: 001

Barry 100

ABSENT WITH LEAVE: 003

Daniel 42 Davis 63 Shear

VACANCIES: 001

On motion of Representative Hickey, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Fritts moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

***SS SCS HCS HB 1197, as amended**, relating to family development accounts, was taken up by Representative Gunn.*

*Representative Gunn moved that the House refuse to adopt **SS SCS HCS HB 1197, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.*

Which motion was adopted.

Representative Dougherty assumed the Chair.

***SCS HS HCS HB 1434, as amended**, relating to special license plates, was taken up by Representative Thomason (163).*

*On motion of Representative Thomason (163), **SCS HS HCS HB 1434, as amended**, was adopted by the following vote:*

AYES: 157

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Crump Daniels 41

Davis 122 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Daniel 42 Davis 63 Green Luetkenhaus Shear

VACANCIES: 001

On motion of Representative Thomason (163), ***SCS HS HCS HB 1434, as amended*** *was truly agreed to and finally passed by the following vote:*

AYES: 150

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Clayton Cooper

Crawford Daniels 41 Davis 122 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Griesheimer Gross Gunn Hagan-Harrell

Hall Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger Nordwald O'Connor O'Toole

Ostmann Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reynolds Richardson

Ridgeway Rizzo Robirds Ross Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Cierpiot Copeland Crump Daniel 42 Davis 63

Green Kreider Reinhart Relford Sallee

Shear Steen

VACANCIES: 001

Representative Dougherty declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Cierpiot Clayton Cooper

Crawford Crump Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Dougherty Elliott

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gibbons Graham 106 Gratz Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hickey Hilgemann

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelley 47 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pryor Ransdall Relford

Reynolds Richardson Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 012

Chrismer Edwards-Pavia Enz Gaston Graham 24

Hendrickson Hohulin Merideth Pouche Purgason

Reinhart Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 007

Copeland Daniel 42 Davis 63 Green Kelly 27

Lograsso Shear

VACANCIES: 001

On motion of Representative Carter, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

***SCS HCS HB 1536**, relating to impaired drivers, was taken up by Representative Lakin.*

*On motion of Representative Lakin, **SCS HCS HB 1536** was adopted by the following vote:*

AYES: 131

Akin Alter Auer Barnett Bartlett
Bauer Bennett Berkstresser Bland Boatright
Bonner Boucher Bray 84 Broach Burton
Campbell Carter Champion Chrismer Cierpiot
Cooper Crawford Crump Daniels 41 Davis 122
Days Dolan Donovan Dougherty Elliott
Evans Farnen Fitzwater Foley Ford
Foster Franklin Fritts Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gross
Gunn Hagan-Harrell Hall Harlan Hartzler 124
Heckemeyer Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Loudon Luetkenhaus May 108
McBride McClelland McLuckie Miller Monaco
Murphy Murray Naeger O'Connor O'Toole
Ostmann Parker Patek Pryor Purgason
Reinhart Relford Reynolds Richardson Ridgeway
Robirds Ross Sallee Schilling Schwab
Scott Secrest Seigfreid Shelton 57 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thomason 163 Thompson 37
Thompson 72 Townley Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 025

Backer Ballard Barry 100 Bartelsmeyer Clayton
Copeland DeMarce Edwards-Pavia Enz Gratz
Griesheimer Hartzler 123 Hegeman Hoppe Klindt
Marble Merideth Nordwald Overschmidt Pouche
Ransdall Rizzo Scheve Treadway Troupe

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42 Davis 63 Green Mays 50 Shear

Sheldon 104

VACANCIES: 001

On motion of Representative Lakin, ***SCS HCS HB 1536*** *was truly agreed to and finally passed by the following vote:*

AYES: 132

Akin Alter Auer Barnett Bartlett

Bauer Bennett Berkstresser Bland Boatright

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Cooper Copeland Crawford Daniels 41 Davis 122

Days Dolan Donovan Dougherty Elliott

Evans Farnen Fitzwater Foley Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 124

Heckemeyer Hickey Hilgemann Hohulin Holand

Hollingsworth Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

McBride McClelland McLuckie Miller Monaco

Murphy Murray Naeger O'Connor O'Toole

Ostmann Parker Patek Pryor Purgason

Reinhart Relford Reynolds Richardson Ridgeway

Robirds Ross Sallee Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 159 Wilson

Wooten Mr. Speaker

NOES: 023

Backer Ballard Barry 100 Bartelsmeyer Clayton
DeMarce Edwards-Pavia Enz Gratz Green
Griesheimer Hartzler 123 Hegeman Hendrickson Hoppe
Merideth Nordwald Overschmidt Pouche Ransdall
Rizzo Scheve Treadway

PRESENT: 000

ABSENT WITH LEAVE: 007

Crump Daniel 42 Davis 63 Lograsso Mays 50
Shear Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Van Zandt, title to the bill was agreed to.

Representative Wiggins moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

***SCS HCS HB 1526**, relating to pawnbrokers law, was taken up by Representative May (108).*

*On motion of Representative May (108), **SCS HCS HB 1526** was adopted by the following vote:*

AYES: 147

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Daniels 41 Davis 122 Days
DeMarce Dolan Donovan Dougherty Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Fritts Froelker
Gaskill Gaston Graham 106 Graham 24 Gratz
Green Griesheimer Gross Hagan-Harrell Hall
Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Shields Skaggs Smith Steen

Stokan Stoll Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Van Zandt

Vogel Wannenmacher Wiggins Williams 159 Wilson

Wooten Mr. Speaker

NOES: 007

Carter Edwards-Pavia Gunn Murphy Sheldon 104

Shelton 57 Troupe

PRESENT: 000

ABSENT WITH LEAVE: 008

Crump Daniel 42 Davis 63 Gibbons Lograsso

Shear Stroker Williams 121

VACANCIES: 001

On motion of Representative May (108), ***SCS HCS HB 1526*** *was truly agreed to and finally passed by the following vote:*

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Fritts

Froelker Gaskill Gaston Graham 106 Graham 24

Gratz Green Griesheimer Gross Hagan-Harrell

Hall Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Van Zandt Vogel Wannenmacher Wiggins

Williams 159 Wooten Mr. Speaker

NOES: 007

Carter Gunn Murphy Sheldon 104 Stroker

Troupe Wilson

PRESENT: 000

ABSENT WITH LEAVE: 007

Crump Daniel 42 Davis 63 Gibbons Harlan

Shear Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hagan-Harrell, title to the bill was agreed to.

Representative Gratz moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on ***HS HCS SCS SB 659, as amended****, and has taken up and passed* ***HS HCS SCS SB 659, as amended by the Conference Committee Report****.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on ***SS SCS HS HB 1694, as amended****, and has taken up and passed* ***CCS SS SCS HS HB 1694****.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***SCS HB 1880****, entitled:*

An act to repeal section 301.140, RSMo Supp. 1997, and to enact in lieu thereof two new sections relating to motor vehicles, with an effective date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***SS SCS HS HCS HB 1656****, entitled:*

An act to repeal sections 100.010, 348.300, 348.302 and 348.314, RSMo 1994, sections 100.710, 100.850, 135.110 and 215.030, RSMo Supp. 1997, and sections 135.403, 135.405 and 135.503, as enacted by senate bill no. 1 of the second extraordinary session of the eighty-ninth general assembly and approved by the governor, and to enact in lieu thereof thirty-five new sections for the purpose of providing tax relief in distressed communities, with an effective date.

With Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 5, and Senate Amendment No. 9.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1656, Page 23, Section 135.110, Line 6, by inserting immediately after said line the following:

"135.200. The following terms, whenever used in sections 135.200 to 135.256, mean:

(1) "Department", the department of economic development;

(2) "Director", the director of the department of economic development;

(3) "Facility", any building used as a revenue producing enterprise located within an enterprise zone, including the land on which the facility is located and all machinery, equipment and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;

(4) "Governing authority", the body holding primary legislative authority over a county or incorporated municipality;

(5) "New business facility" shall have the meaning defined in section 135.100, except that the term "lease" as used therein shall not include the leasing of property defined in paragraph (d) of subdivision (6) of this section;

(6) "Revenue producing enterprise", means:

(a) Manufacturing activities classified as SICs 20 through 39;

(b) Agricultural activities classified as SIC 025;

(c) Rail transportation terminal activities classified as SIC 4013;

(d) Renting or leasing of residential property to low and moderate income persons as defined in federal law, 42 U.S.C. 5302(a)(20);

(e) Motor freight transportation terminal activities classified as SIC 4231;

(f) Public warehousing and storage activities classified as SICs 422 and 423 except SIC 4221, miniwarehouse warehousing and warehousing self-storage;

(g) Water transportation terminal activities classified as SIC 4491;

(h) Wholesale trade activities classified as SICs 50 and 51;

(i) Insurance carriers activities classified as SICs 631, 632 and 633;

(j) Research and development activities classified as SIC 873, except 8733;

(k) Farm implement dealer activities classified as SIC 5999;

(l) Employment agency activities classified as SIC 7361;

(m) Computer programming, data processing and other computer related activities classified as SIC 737;

(n) Health service activities classified as SICs 801, 802, 803, 804, 806, 807, 8092 and 8093;

(o) Interexchange telecommunications as defined in subdivision (20) of section 386.020, RSMo, or training activities conducted by an interexchange telecommunications company as defined in subdivision (19) of section 386.020, RSMo;

(p) Recycling activities classified as SIC 5093;

(q) Banking activities classified as SICs 602 and 603;

(r) Office activities as defined in subdivision (8) of section 135.100, notwithstanding SIC classification;

(s) Mining activities classified as SICs 10 through 14;

(t) ***Photofinishing laboratory activities classified in SIC 7384 and microfilm recording and developing services as contained in SIC classification 7389, provided that each such revenue producing enterprise employs a minimum of one hundred employees at a single business facility;***

(u) *The administrative management of any of the foregoing activities; or*

[(u)] ***(v)*** *Any combination of any of the foregoing activities;*

(7) "Satellite zone", a noncontiguous addition to an existing state designated enterprise zone;

(8) "SIC", the standard industrial classification as such classifications are defined in the 1987 edition of the Standard Industrial Classification Manual as prepared by the Executive Office of the President, Office of Management and Budget."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1656, Pages 48-58, Sections 1-14, by deleting all of said sections.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1656, Page 24, Section 135.258, Line 3, by inserting immediately after said line the following:

*"**135.313. 1. Any person, firm or corporation who engages in the business of producing charcoal or charcoal products in the state of Missouri shall be eligible for a tax credit on income taxes otherwise due pursuant to chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, as an incentive to implement safe and efficient environmental controls. The tax credit shall be equal to fifty percent of the purchase price of the best available control technology equipment connected with the production of charcoal in the state of Missouri or, if the taxpayer manufactures such equipment, fifty percent of the manufacturing cost of the equipment, to and including the year the equipment is put into service. The credit may be claimed for a period of eight years beginning with the 1998 calendar year and is to be a tax credit against the tax otherwise due.**

2. Any amount of credit which exceeds the tax due shall not be refunded but may be carried over to any subsequent taxable year, not to exceed seven years.

3. The charcoal producer may elect to assign to a third party the approved tax credit. Certification of assignment and other appropriate forms must be filed with the Missouri department of revenue and the department of economic development.

4. When applying for a tax credit, the charcoal producer specified in subsection 1 of this section shall make application for the credit to the division of environmental quality of the department of natural resources. The application shall identify the specific best available control technology equipment and the purchase price, or manufacturing cost of such equipment. The director of the department of natural resources is authorized to require permits to construct prior to the installation of best available control technology equipment and other information which he or she deems appropriate.

5. The director of the department of natural resources in conjunction with the department of economic development shall certify to the department of revenue that the best available control technology equipment meets the requirements to obtain a tax credit as specified in this section."; and*

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1656, Page 31, Section 135.530, by deleting all of said section and inserting in lieu thereof the following:

135.530. For the purposes of this act, "distressed community" means either a Missouri municipality within a metropolitan statistical area which has a median household income of under seventy percent of the median household income for the metropolitan statistical area, according to the last decennial census, or the United States Census Block Group or contiguous group of block groups within a metropolitan statistical area which has a population of at least two thousand five hundred, and which has a median household income of under seventy percent of the median household income for the metropolitan area in Missouri, according to the last decennial census. In addition the definition shall include municipalities not in a metropolitan statistical area, with a median household income of seventy percent of the median household income for the nonmetropolitan areas of Missouri according to the last decennial census or a Census Block Group or contiguous group of block groups which has a population of at least two thousand five hundred which has a median household income of seventy percent of the median household income for the nonmetropolitan areas of Missouri, according to the last decennial census.

In which the concurrence of the House is respectfully requested.

THIRD READING OF SENATE BILL

***HCS SB 629**, relating to community improvement, was again taken up by Representative Green.*

*Representative Green offered **HS HCS SB 629**.*

Representative Green offered House Amendment No. 1.

House Amendment No. 1

*AMEND House Substitute for House Committee Substitute for Senate Bill No. 629, Page 6, Section 67.1600, Line 6 of said page, by inserting after the word "**program**" the following: "**and shall remain confidential**"; and*

*Further amend said bill, Page 8, Section 67.1603, Line 6 of said page, by deleting "**, a municipality with three**"; and*

*Further amend said bill, Page 8, Section 67.1603, Line 7 of said page, by deleting "**hundred thousand or more inhabitants**"; and*

*Further amend said bill, Page 33, Line 18 of said page, by deleting "**the submission of and**".*

On motion of Representative Green, House Amendment No. 1 was adopted.

Representative Hoppe offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 629, Page 1, In the Title, Lines 2 through 10, by deleting all of said lines and inserting in lieu thereof the following: "To repeal section 141.750, RSMo 1994, section 18 as it appears in senate committee substitute for house substitute for house committee substitute for house bill no. 1636 as truly agreed and finally passed by the second regular session of the eighty-ninth general assembly and section 50.150 as it appears in senate committee substitute for house bill no. 1734, as truly agreed and finally passed by the second regular session of the eighty-ninth general assembly, relating to local political subdivisions, and to enact in lieu thereof two new sections relating to the same subject."; and

Further amend said bill, Pages 1 and 2, Section A, by deleting all of said section and inserting in lieu thereof the following:

"Section A. Section 141.750, RSMo 1994, section 18 as it appears in senate committee substitute for house substitute for house committee substitute for house bill no. 1636 as truly agreed and finally passed by the second regular session of the eighty-ninth general assembly and section 50.150 as it appears in senate committee substitute for house bill no. 1734, as truly agreed and finally passed by the second regular session of the eighty-ninth general assembly, are repealed and two new sections enacted in lieu thereof, to be known as sections 50.150 and 141.750, to read as follows:"; and

Further amend said bill, Pages 2 to 48, Sections 67.1600, 67.1603, 67.1606, 67.1609, 67.1612, 67.1615, 67.1618, 67.1621, 67.1624, 67.1627, 67.1630, 67.1633, 67.1636, 67.1639, 67.1642, 67.1645, 67.1648, 67.1651, 67.1654, 67.1657, 67.1660, 67.1663, 1, 2 and 3, by deleting all of said sections and inserting in lieu thereof the following:

"50.1500. 1. The governing body of any county, excluding township counties, may by ordinance or order provide for the payment of all or any part of current real and personal property taxes which are owed, at the option of the taxpayer, on an annual, semiannual or quarterly basis at such times as determined by such governing body.

2. The ordinance shall provide the method by which the amount of property taxes owed for the current tax year in which the payments are to be made shall be estimated. The collector shall submit to the governing body the procedures by which taxes will be collected pursuant to the ordinance or order. The estimate shall be based on the previous tax year's liability. A taxpayer's payment schedule shall be based on the estimate divided by the number of pay periods in which payments are to be made. The taxpayer shall at the end of the tax year pay any amounts owed in excess of the estimate for such year. The county shall at the end of the tax year refund to the taxpayer any amounts paid in excess of the property tax owed for such year. No interest shall be paid by the county on excess amounts owed to the taxpayer. Any refund paid the taxpayer pursuant to this subsection shall be an amount paid by the county only once in a calendar year.

*3. If a taxpayer fails to make an installment payment of a portion of the real or personal property taxes owed to the county, then such county may charge the taxpayer interest **and penalties** on the [entire] **remaining** amount of such property taxes owed for that year.*

4. Any governing body enacting the ordinance or order specified in this section shall first agree to provide the county collector with reasonable and necessary funds to implement the ordinance or order.

141.750. 1. Such land trust shall be a continuing body and shall have and adopt an official seal which shall bear on its face the words "Land Trust of ..... County, Missouri", "Seal", and shall have the power to sue and issue deeds in its name, which deed shall be signed by the chairman or vice chairman, and attested by the secretary or assistant secretary and the official seal of the land trust affixed thereon, and shall have the general

power to administer its business as any other corporate body.

*2. The land trust may convey title to any real estate sold or conveyed by it by general or special warranty deed, and may convey an absolute title in fee simple, without in any case procuring any consent, conveyance or other instrument from the beneficiaries for which it acts[;]**.** Provided, however, that each such deed shall recite whether the selling price represents a consideration equal to or in excess of two-thirds of the appraised value of such real estate so sold or conveyed, and if such selling price represents a consideration less than two-thirds of the appraised value of [said] **such** real estate, then the land trustees shall first procure the consent thereto of not less than two of the three appointing authorities, which consent shall be evidenced by a copy of the action of each such appointing authority duly certified to by its clerk or secretary attached to and made a part of [said] **such** deed. **The land trustees shall have to procure one of the three appointing authorities if the land trust conveys such property to any Missouri not for profit organization whose primary purpose is the provision or enhancement of housing opportunities in its community.**".*

On motion of Representative Hoppe, House Amendment No. 2 was adopted.

Representative Treadway offered House Amendment No. 3.

House Amendment No. 3

*AMEND House Substitute for House Committee Substitute for Senate Bill No. 629, Page 5, Section 67.1600, Line 5, by deleting the word "**fair**"; and*

Further amend said bill, Page 6, Section 67.1600, Lines 8 through 15, by deleting all of said lines and inserting in lieu thereof the following:

*"**(17) "Program appraiser", a real estate appraiser who is state licensed or state certified pursuant to sections 339.500 to 339.545, RSMo;**".*

On motion of Representative Treadway, House Amendment No. 3 was adopted.

Representative Gross offered House Amendment No. 4.

House Amendment No. 4 was withdrawn.

*On motion of Representative Green, **HS HCS SB 629, as amended**, was adopted.*

*On motion of Representative Green, **HS HCS SB 629, as amended,** was read the third time and passed by the following vote:*

AYES: 143

Alter Auer Backer Barnett Barry 100

Bartelsmeyer Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Cierpiot

Clayton Cooper Copeland Crawford Crump

Daniels 41 Davis 122 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Farnen Fitzwater Foley Ford Foster

Franklin Fritts Froelker Graham 106 Graham 24

Gratz Green Griesheimer Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Relford Reynolds Richardson Ridgeway Rizzo

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 012

Akin Ballard Boatright Evans Gaskill

Gaston Gibbons Gross Hohulin Nordwald

Reinhart Robirds

PRESENT: 000

ABSENT WITH LEAVE: 007

Chrismer Daniel 42 Davis 63 Hall Lograsso

Shear Townley

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Days moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

BILL IN CONFERENCE

CCR HS SB 743, as amended, *relating to emergency management agency, was taken up by Representative Hoppe.*

On motion of Representative Hoppe, ***CCR HS SB 743, as amended****, was adopted by the following vote:*

AYES: 127

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartlett Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Burton Campbell Carter Chrismer Cierpiot

Clayton Cooper Daniels 41 Davis 122 Days

Dolan Dougherty Edwards-Pavia Enz Farnen

Fitzwater Foley Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Hegeman Hickey

Holand Hollingsworth Hoppe Hosmer Howerton

Johnson Kasten Kauffman Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Long Loudon Luetkenhaus May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Relford

Reynolds Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wiggins Williams 121

Wilson Mr. Speaker

NOES: 026

Bartelsmeyer Bauer Broach Champion Copeland

Crawford DeMarce Donovan Elliott Ford

Foster Franklin Heckemeyer Hendrickson Hohulin

Kelley 47 Marble Murphy Reinhart Richardson

Sheldon 104 Surface Thomason 163 Wannenmacher Williams 159

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 009

Crump Daniel 42 Davis 63 Evans Hall

Hilgemann Lograsso Ostmann Shear

VACANCIES: 001

On motion of Representative Hoppe, ***CCS HS SB 743, as amended by the CCR,*** *was truly agreed to and finally passed by the following vote:*

AYES: 132

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Chrismer

Cierpiot Clayton Cooper Crawford Daniels 41

Davis 122 Days DeMarce Dougherty Edwards-Pavia

Enz Farnen Fitzwater Foley Franklin

Fritts Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Harlan Hartzler 123

Hartzler 124 Hegeman Hickey Hilgemann Holand

Hollingsworth Hoppe Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Long Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Overschmidt Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Skaggs Smith

Steen Stokan Stoll Stroker Summers

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 015

Bauer Champion Copeland Elliott Evans

Ford Foster Heckemeyer Hendrickson Loudon

Murphy Surface Thomason 163 Wannenmacher Wooten

PRESENT: 002

Donovan Shields

ABSENT WITH LEAVE: 013

Auer Crump Daniel 42 Davis 63 Dolan

Hall Hohulin Hosmer Lograsso Ostmann

Richardson Shear Sheldon 104

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Alter Backer Ballard Barnett Barry 100

Bartlett Bennett Berkstresser Bland Bonner

Boucher Bray 84 Burton Campbell Carter

Chrismer Clayton Cooper Copeland Crawford

Crump Daniels 41 Davis 122 Days DeMarce

Dolan Dougherty Edwards-Pavia Farnen Fitzwater

Foley Franklin Fritts Gaskill Gaston

Gibbons Graham 106 Graham 24 Griesheimer Gunn

Hagan-Harrell Harlan Hartzler 123 Heckemeyer Hegeman

Hickey Hilgemann Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Levin Liese Linton Long Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Monaco Murray Naeger Nordwald

O'Connor O'Toole Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Skaggs Smith

Stokan Stoll Stroker Summers Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 029

Akin Bartelsmeyer Bauer Boatright Broach

Champion Cierpiot Donovan Elliott Enz

Evans Ford Foster Froelker Gratz

Gross Hartzler 124 Hendrickson Hohulin Legan

Loudon Merideth Miller Murphy Ostmann

Ridgeway Steen Surface Wannenmacher

PRESENT: 001

Shields

ABSENT WITH LEAVE: 009

Auer Daniel 42 Davis 63 Green Hall

Lograsso Richardson Shear Sheldon 104

VACANCIES: 001

On motion of Representative Koller, title to the bill was agreed to.

Representative Kissell moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider resumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

***SS SCS HS HCS HB 1656, as amended**, relating to tax relief, was taken up by Representative Bray.*

On motion of Representative Bray, ***SS SCS HS HCS HB 1656, as amended****, was adopted by the following vote:*

AYES: 140

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartelsmeyer Bartlett Bauer
Bennett Berkstresser Bland Boatright Bonner
Boucher Bray 84 Broach Burton Campbell
Carter Champion Chrismer Cierpiot Clayton
Cooper Copeland Crawford Daniels 41 Davis 122
Days DeMarce Dolan Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farnen
Foley Ford Foster Franklin Fritts
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Griesheimer Gross Gunn
Harlan Heckemeyer Hegeman Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kasten Kauffman Kelley 47
Kelly 27 Kennedy Kissell Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Lograsso Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Monaco Murray Naeger
O'Connor O'Toole Ostmann Overschmidt Parker
Pouche Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Scheve Schilling Schwab Scott
Secrest Shelton 57 Shields Skaggs Smith
Steen Stokan Stoll Stroker Summers
Surface Thomason 163 Thompson 37 Thompson 72 Treadway
Troupe Van Zandt Vogel Wannenmacher Wiggins
Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 009

Fitzwater Hartzler 124 Hendrickson Miller Murphy
Nordwald Patek Seigfreid Townley

PRESENT: 000

ABSENT WITH LEAVE: 013

Crump Daniel 42 Davis 63 Green Hagan-Harrell

Hall Hartzler 123 Klindt Linton Pryor

Sallee Shear Sheldon 104

VACANCIES: 001

On motion of Representative Bray, ***SS SCS HS HCS HB 1656, as amended,*** *was truly agreed to and finally passed by the following vote:*

AYES: 146

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Enz Evans Farnen Fitzwater Ford

Foster Franklin Fritts Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thompson 37 Thompson 72

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 003

Nordwald Seigfreid Townley

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland Crump Daniel 42 Davis 63 Elliott
Foley Green Hall Kelley 47 Legan
Ridgeway Shear Thomason 163

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

***SCS HB 1880**, relating to motor vehicles, was taken up by Representative Hickey.*

*On motion of Representative Hickey, **SCS HB 1880** was adopted by the following vote:*

AYES: 149

Akin Alter Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Daniels 41 Davis 122 Days
DeMarce Dolan Donovan Dougherty Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Froelker Gaskill
Gaston Gibbons Graham 106 Graham 24 Gratz
Griesheimer Gross Gunn Hagan-Harrell Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson
Hickey Hilgemann Hohulin Holand Hollingsworth
Hoppe Hosmer Howerton Johnson Kasten
Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Ostmann

Overschmidt Parker Patek Pouche Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Skaggs Smith

Stokan Stoll Stroker Summers Surface

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Auer Crump Daniel 42 Davis 63 Edwards-Pavia

Fritts Green Hall Ridgeway Schwab

Shear Steen Thomason 163

VACANCIES: 001

On motion of Representative Hickey, ***SCS HB 1880*** *was truly agreed to and finally passed by the following vote:*

AYES: 152

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Bray 84 Broach Burton Campbell

Carter Champion Chrismer Cierpiot Clayton

Cooper Copeland Crawford Daniels 41 Davis 122

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Froelker Gaskill Gaston Gibbons Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Stokan Stoll

Stroker Summers Surface Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Crump Daniel 42 Davis 63 Fritts Hall

McLuckie Ridgeway Shear Steen Thomason 163

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

***SB 650**, relating to dietitians, was taken up by Representative Kelly (27).*

*On motion of Representative Kelly (27), **SB 650** was truly agreed to and finally passed by the following vote:*

AYES: 146

Alter Auer Backer Ballard Barnett
Barry 100 Bartlett Bauer Bennett Berkstresser
Bland Boatright Bonner Bray 84 Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Copeland Crawford
Daniels 41 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Evans
Farnen Fitzwater Foley Ford Foster
Franklin Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Griesheimer Gross
Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Long Loudon Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murphy
Murray Naeger Nordwald O'Connor O'Toole
Ostmann Overschmidt Parker Patek Pouche
Purgason Ransdall Reinhart Relford Reynolds
Richardson Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Secrest
Seigfreid Sheldon 104 Shelton 57 Shields Skaggs
Smith Steen Stokan Stoll Stroker
Summers Surface Thompson 37 Thompson 72 Townley
Treadway Troupe Van Zandt Vogel Wannenmacher
Wiggins Williams 121 Williams 159 Wilson Wooten
Mr. Speaker

NOES: 004

Akin Bartelsmeyer Davis 122 Froelker

PRESENT: 000

ABSENT WITH LEAVE: 012

Boucher Crump Daniel 42 Davis 63 Fritts

Hall Heckemeyer Lograsso Pryor Ridgeway

Shear Thomason 163

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Gunn, title to the bill was agreed to.

Representative Graham (24) moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

***HCS SCS SB 762**, relating to payment of insurance claims, was taken up by Representative McLuckie.*

*Representative McLuckie offered **HS HCS SCS SB 762**.*

Representative Harlan offered House Amendment No. 1.

Representative Shields raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

House Amendment No. 1 was withdrawn.

***SB 762, with HS, pending**, was laid over.*

MESSAGES FROM THE SENATE

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1891**, entitled:*

An act to repeal sections 571.070 and 571.090, RSMo 1994, and section 571.030, RSMo Supp. 1997, relating to certain weapons offenses, and to enact in lieu thereof six new sections relating to the same subject, with penalty provisions and a referendum clause.

In which the concurrence of the House is respectfully requested.

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 936, as amended**, and has taken up and passed **CCS HCS SB 936**.*

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1352**, entitled:*

An act to repeal section 89.120, RSMo 1994, relating to penalties for violations of zoning statutes and ordinances, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

With Senate Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1352, Page 2, Section 89.120, Lines 35-53, by deleting all of said lines and inserting in lieu thereof the following:

*"**4. In a city with a population of more than three hundred fifty thousand, the owner or general agent of a building or premises where a violation of any provision of said regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist shall be guilty of a misdemeanor punishable by a fine of not less than ten dollars and not more than two hundred fifty dollars for each and every day that such violation continues, but if the offense be willful on conviction thereof, the punishment shall be a fine of not less than one hundred dollars or more than five hundred dollars for each and every day that such violation shall continue or by imprisonment for ten days for each and every day such violation shall continue or by both such fine and imprisonment in the discretion of the court.**".*

Senate Substitute Amendment No. 1

for

Senate Amendment No. 2

*AMEND Senate Committee Substitute for House Bill No. 1352, Page 2, Section 89.120, Line 26, by inserting an opening and closing bracket "[ ]" around the word "one" and inserting thereafter "**Two hundred fifty**"; and further amend lines 25 to 27, by striking all of said lines and inserting in lieu thereof the following: "such violation continues[, but if the offense be willful on conviction thereof] **or by imprisonment for ten days for each and every day such violation shall continue or by both such fine and imprisonment in the discretion of the court. Notwithstanding the provisions of section 82.300, RSMo, however, for the second and subsequent offenses involving the same violation at the same building or premises**, the punishment shall be a fine of not less than one hundred dollars or more than [two hundred and fifty] **five hundred** dollars for each and every day that such violation shall continue".*

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Bill No. 1352, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following: "To repeal section 77.530 and 89.120, RSMo 1994, relating to the powers of certain cities, and to enact in lieu thereof two new sections relating to"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 77.530 and 89.120, RSMo 1994, are repealed and two new sections enacted in lieu thereof, to be known as sections 77.530 and 89.120, to read as follows:

*77.530. The council may make regulations and pass ordinances for the prevention of the introduction of contagious diseases into the city, and for the abatement of the same, and may make quarantine laws and enforce the same within five miles of the city. The council may purchase or condemn and hold for the city, within or without the city limits, within ten miles therefrom, all necessary lands for hospital purposes, waterworks, sewer carriage and outfall, and erect, establish and regulate hospitals, workhouses, poorhouses, **police stations, fire stations** and provide for the government and support of the same, and make regulations to secure the general health of the city, and to prevent and remove nuisances; provided, however, that the condemnation of any property outside of the city limits shall be regulated in all respects as the condemnation of property for railroad purposes is regulated by law; and provided further, that the police jurisdiction of the city*

shall extend over such lands and property to the same extent as over public cemeteries, as provided in this chapter.".

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Bill No. 1352, Page 2, Section 89.120, Line 53, by inserting after all of said line the following:

*"**Section 1. Where regulations or prohibitions of the sale of fireworks are adopted by any first class county operating under a charter form of government and which contains a population in excess of nine hundred thousand inhabitants, such regulations or prohibitions shall supersede, as to those matters to which this section relates, all municipal ordinances, rules and regulations within the boundaries of such first class chartered county, but only to the extent such regulations or prohibitions are more restrictive than those adopted by a municipality located within such county.**"; and*

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Bill No. 1352, Page 1, Section 89.120, Line 1, by inserting immediately before all of said line the following:

*"71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town, or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town, or village as provided in this section. The term "contiguous and compact" does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. **The term "contiguous and compact" does not prohibit voluntary annexations under this section merely because such voluntary annexation would create an island of unincorporated area with the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village.** Notwithstanding the provisions of this section, the governing body of any city, town, or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village.*

2. (1) When a verified petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, is presented to the governing body of the city, town, or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in newspapers of general circulation qualified to publish legal matters.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation. If, after holding the hearing, the governing body of the city, town, or village determines that the annexation is reasonable and necessary to the proper development of the city, town, or village, and the city, town, or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town, or village not later than fourteen days after the public hearing by at least two percent of the qualified voters of the city, town, or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town, or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's town's, or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town, or village shall cause three certified copies of the same to be filed with the clerk of the county wherein the city, town, or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town, or village as so extended.".

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Bill No. 1352, Page 1, Section A, Line 2, by inserting immediately after all of said line the following:

*"**67.399. 1. The governing body of any municipality may, by ordinance, establish a semiannual registration fee not to exceed two hundred dollars which shall be charged to the owner of any parcel of residential property improved by a residential structure, or commercial property improved by a structure containing multiple dwelling units, that is vacant, has been vacant for at least six months, and is characterized by violations of applicable housing codes established by such municipality.***

2. The municipality shall designate a municipal officer to investigate any property that may be subject to the registration fee. The officer shall report his findings and recommendations, and shall determine whether any such property shall be subject to the registration fee. Within five business days, the clerk of the municipality shall notify by mail the owners of property on which the registration fee has been levied at their last known address according to the records of the city and the county. The property owner shall have the right to appeal the decision of the office to the municipal court within thirty days of such notification. Absent the existence of any valid appeal or request for reconsideration pursuant to subsection 3 of this section, the registration fee shall begin to accrue on the beginning of the second calendar quarter after the decision of the municipal officer.

3. Within thirty days of the municipality making such notification, the property owner may complete any improvements to the property that may be necessary to revoke the levy of the registration fee, and then may request a reinspection of the property and a reconsideration of the levy of the registration fee by the municipality. If the municipal officer revokes the registration fee, no such assessment shall be made and the matter shall be considered closed. If the municipal officer affirms the assessment of the registration fee, the property owner shall have the right to appeal the reconsideration decision of the municipal officer to the municipal court within thirty days of such decision. Absent the existence of any valid appeal to the municipal court or other court of competent jurisdiction, the registration fee shall begin to accrue on the beginning of the second calendar quarter after the reconsideration decision of the municipal governing body.

4. The municipal governing body shall establish by ordinance procedures for payment of the registration fee and penalties for delinquent payments of such fees. Any registration fees which are delinquent for a period of one year shall become a lien on the property and shall be subject to foreclosure proceedings in the same manner as delinquent real property taxes. The owner of the property against which the assessment was originally made shall be able to redeem the property only by presenting evidence that the violations of the applicable housing code cited by the municipal officers have been cured and presenting payment of all registration fees and penalties. Upon bona fide sale of the property to an unrelated party said lien shall be considered released and the delinquent registration fee forgiven.*"; and*

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

CONFERENCE COMMITTEE REPORT

ON

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 659

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 659; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Substitute for House Committee Substitute for Senate

Committee Substitute for Senate Bill No. 659;

2. That the attached Conference Committee Amendment No. 1 be adopted.

3. That the House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 659 with Conference Committee Amendment No. 1 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Wayne Crump /s/ Harold Caskey

/s/ Don Kissell /s/ Mike Lybyer

/s/ Bill Ransdall /s/ John E. Scott

/s/ Bill Alter /s/ Marvin Singleton

/s/ Rex Barnett /s/ David Klarich

Conference Committee Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 659, Pages 1-3, Section 43.050, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

CONFERENCE COMMITTEE REPORT

ON

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 619

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Substitute for House Committee Substitute for Senate Bill No. 619, with House Substitute Amendment No. 1 for House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute Amendment No. 1 for House Amendment No. 2;

2. That the Senate recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 619 and House Substitute Amendment No. 1 for House Amendment No. 1, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6;

3. That the attached Conference Committee Amendment No. 1 be adopted; and

4. That House Substitute for House Committee Substitute for Senate Bill No. 619, with Conference Committee Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 1, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, and House Amendment No. 6 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Stephen Stoll /s/ Bill McKenna

/s/ Sam Leake /s/ Mike Lybyer

/s/ Gary Wiggins /s/ Wayne Goode

/s/ Marilyn Edwards-Pavia /s/ Franc Flotron

/s/ Gary Marble /s/ Steve Ehlmann

Conference Committee Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 619, Page 126, Section 414.415, Line 21 of said page, by inserting immediately after said line the following:

*"**Section 1. The air conservation commission may establish, by rule, a state reformulated gasoline program to prohibit the sale or dispensing of conventional gasoline for use in motor vehicles. If established, such program shall be implemented and reformulated gasoline shall be available at the retail level in the nonattainment area described in section 643.305, RSMo, by June 1, 1999. The effectiveness of such program in improving air quality shall be at least equal to, and cost competitive with, the federal reformulated gasoline program, 42 U.S.C. 7545. Subject to the conditions of this section, any reformulated gasoline program established pursuant to this section shall not preclude the use of ethanol.**"; and*

Further amend the title and enacting clause accordingly.

CONFERENCE COMMITTEE REPORT

ON

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1507

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Substitute for Senate Committee Substitute for House Bill No. 1507, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 1507;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1507, as amended;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 1507 be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Joan Bray /s/ Edward E. Quick

/s/ Tim VanZandt /s/ Harry Wiggins

/s/ Mike Schilling /s/ John D. Schneider

/s/ Michael Gibbons /s/ Francis E. Flotron

/s/ Daniel Hegeman /s/ John T. Russell

BILLS IN CONFERENCE

CCR HS HCS SB 619, as amended*, relating to motor fuel tax, was taken up by Representative Stoll.*

On motion of Representative Stoll, ***CCR HS HCS SB 619, as amended,*** *was adopted by the following vote:*

AYES: 144

Alter Auer Backer Barry 100 Bartelsmeyer
Bartlett Bauer Bennett Berkstresser Bland
Boatright Bonner Boucher Bray 84 Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Clayton Cooper Crawford Daniels 41
Davis 122 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Farnen
Fitzwater Foley Ford Foster Franklin
Froelker Gaskill Gaston Gibbons Graham 106
Graham 24 Gratz Green Gross Gunn
Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelly 27 Kennedy
Klindt Koller Kreider Lakin Lawson
Leake Legan Levin Liese Linton
Lograsso Long Marble May 108 Mays 50
McBride McClelland McLuckie Merideth Miller
Monaco Murphy Murray Naeger Nordwald
O'Connor O'Toole Ostmann Overschmidt Parker
Patek Pouche Pryor Purgason Ransdall
Reinhart Relford Reynolds Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Secrest Seigfreid
Sheldon 104 Shields Skaggs Smith Steen
Stokan Stoll Stroker Summers Surface
Thomason 163 Thompson 37 Thompson 72 Townley Troupe
Van Zandt Vogel Wannenmacher Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 007

Akin Ballard Evans Griesheimer Loudon
Luetkenhaus Treadway

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnett Copeland Crump Daniel 42 Davis 63

Fritts Hall Kelley 47 Kissell Shear

Shelton 57

VACANCIES: 001

On motion of Representative Stoll, ***HS HCS SB 619, as amended by the CCR****, was truly agreed to and finally passed by the following vote:*

AYES: 142

Alter Auer Backer Barry 100 Bartelsmeyer

Bartlett Bauer Bennett Berkstresser Bland

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniels 41 Davis 122 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Farnen Fitzwater Foley Ford Foster

Franklin Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lawson Leake Legan Levin Liese

Lograsso Long Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shields Skaggs Smith Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 009

Akin Ballard Evans Griesheimer Linton

Loudon Luetkenhaus Murphy Treadway

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnett Copeland Daniel 42 Davis 63 Fritts

Hall Kelley 47 Lakin Shear Shelton 57

Steen

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative DeMarce, title to the bill was agreed to.

Representative Days moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

***CCR HS HCS SCS SB 659**, relating to deputy sheriffs, was taken up by Representative Crump.*

*On motion of Representative Crump, **CCR HS HCS SCS SB 659** was adopted by the following vote:*

AYES: 137

Akin Alter Auer Backer Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Cooper Copeland

Crump Daniels 41 Davis 122 Days Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Froelker Gaskill Gibbons

Graham 106 Graham 24 Gratz Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 124 Heckemeyer

Hendrickson Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Ransdall Reinhart Relford Reynolds

Richardson Rizzo Robirds Ross Scheve

Schilling Schwab Scott Seigfreid Sheldon 104

Shields Skaggs Smith Stokan Stoll

Stroker Surface Thomason 163 Thompson 37 Thompson 72

Townley Treadway Troupe Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 016

Ballard Clayton Crawford DeMarce Gaston

Hartzler 123 Hegeman Marble Patek Pouche

Pryor Purgason Ridgeway Sallee Secrest

Summers

PRESENT: 000

ABSENT WITH LEAVE: 009

Daniel 42 Davis 63 Fritts Green Hall

Kelley 47 Shear Shelton 57 Steen

VACANCIES: 001

On motion of Representative Crump, ***HS HCS SCS SB 659, as amended by the CCR,*** *was truly agreed to and finally passed by the following vote:*

AYES: 133

Akin Alter Backer Barnett Barry 100

Bartlett Bauer Bennett Berkstresser Bland

Boatright Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Cooper Copeland Crump Daniels 41

Davis 122 Days Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Froelker Gaskill Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Hartzler 124 Heckemeyer Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Lograsso Long

Loudon Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Ransdall

Reinhart Relford Reynolds Richardson Rizzo

Robirds Ross Scheve Schilling Schwab

Scott Seigfreid Shields Skaggs Smith

Steen Stokan Stoll Stroker Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Vogel Wannenmacher Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 017

Ballard Bartelsmeyer Clayton Crawford DeMarce

Gaston Hartzler 123 Hegeman Marble Patek

Pouche Pryor Purgason Ridgeway Sallee

Secrest Summers

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer Daniel 42 Davis 63 Fritts Hall

Harlan Kelley 47 Shear Sheldon 104 Shelton 57

Van Zandt Wiggins

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

***CCR SS SCS HB 1507, as amended**, relating to taxation, was taken up by Representative Bray.*

*On motion of Representative Bray, **CCR SS SCS HB 1507, as amended,** was adopted by the following vote:*

AYES: 154

Akin Alter Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Copeland Crawford Crump Daniels 41 Davis 122
Days DeMarce Donovan Dougherty Edwards-Pavia
Elliott Enz Evans Farnen Fitzwater
Foley Ford Foster Franklin Froelker
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Gunn
Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Legan Levin
Liese Linton Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Ostmann Overschmidt Parker Patek
Pouche Pryor Purgason Ransdall Reinhart
Relford Reynolds Richardson Ridgeway Rizzo
Robirds Ross Sallee Scheve Schilling
Schwab Scott Secrest Seigfreid Sheldon 104
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Troupe

Van Zandt Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Auer Daniel 42 Davis 63 Dolan Fritts

Hall Shear Shelton 57

VACANCIES: 001

On motion of Representative Bray, ***CCS SS SCS HB 1507*** *was read the third time and passed by the following vote:*

AYES: 148

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Clayton Cooper Copeland

Crawford Crump Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Hohulin Holand

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Ostmann Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shields Skaggs Smith Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Akin Cierpiot Daniel 42 Davis 63 Fritts

Green Hall Hollingsworth Kelley 47 Mays 50

Ridgeway Shear Shelton 57 Steen

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Ransdall moved that the vote by which the bill passed be reconsidered.

Representative Seigfreid moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***HB 1274****, entitled:*

An act to amend chapter 660, RSMo, relating to the department of social services by adding thereto one new section relating to head start programs.

With Senate Amendment No. 2

Senate Amendment No. 2

AMEND House Bill No. 1274, Page 3, Section 660.650.6, Lines 51-56, by deleting all of said lines and renumbering the remaining section accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on ***HS HCS SB 487, as amended,*** *and requests the House to take up and pass* ***HS HCS***

SB 487, as amended.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in ***HS HCS SB 629, as amended,*** *and requests the House recede from its position on* ***HA 1*** *and repass* ***HS HCS SB 629, as amended by HA 2 and HA 3****.*

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 1891*, relating to carry and conceal of firearms, was taken up by Representative Crump.*

On motion of Representative Crump, ***SS HCS HB 1891*** *was adopted by the following vote:*

AYES: 122

Akin Alter Backer Barnett Barry 100

Bennett Berkstresser Bland Bonner Boucher

Broach Burton Champion Clayton Cooper

Copeland Crawford Crump Daniels 41 Davis 122

DeMarce Dolan Edwards-Pavia Elliott Evans

Farnen Fitzwater Foley Ford Foster

Franklin Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hartzler 123 Heckemeyer Hendrickson

Hickey Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble Mays 50 McBride Merideth

Miller Monaco Murray Naeger Nordwald

O'Toole Overschmidt Parker Patek Pouche

Purgason Ransdall Reinhart Relford Reynolds

Richardson Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shields Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Vogel Wannenmacher Wiggins Williams 159

Wooten Mr. Speaker

NOES: 032

Auer Ballard Bartelsmeyer Bartlett Bauer

Boatright Bray 84 Campbell Carter Chrismer

Cierpiot Days Dougherty Enz Hagan-Harrell

Harlan Hartzler 124 Hegeman Hilgemann Kauffman

Lawson May 108 McClelland McLuckie Murphy

O'Connor Pryor Ridgeway Skaggs Van Zandt

Williams 121 Wilson

PRESENT: 001

Donovan

ABSENT WITH LEAVE: 007

Daniel 42 Davis 63 Fritts Hall Ostmann

Shear Shelton 57

VACANCIES: 001

On motion of Representative Crump, ***SS HCS HB 1891*** *was truly agreed to and finally passed by the following vote:*

AYES: 123

Akin Alter Backer Barnett Barry 100

Bennett Berkstresser Bland Bonner Boucher

Broach Burton Champion Clayton Cooper

Copeland Crawford Crump Daniels 41 Davis 122

DeMarce Dolan Donovan Elliott Evans

Farnen Fitzwater Foley Ford Foster

Franklin Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hartzler 123 Heckemeyer Hendrickson

Hickey Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble Mays 50 McBride Merideth

Miller Monaco Murray Naeger Nordwald

O'Connor O'Toole Overschmidt Parker Patek

Pouche Purgason Ransdall Reinhart Relford

Reynolds Richardson Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Vogel Wannenmacher Wiggins

Williams 159 Wooten Mr. Speaker

NOES: 033

Auer Ballard Bartelsmeyer Bartlett Bauer

Boatright Bray 84 Campbell Carter Chrismer

Cierpiot Days Dougherty Edwards-Pavia Enz

Hagan-Harrell Harlan Hartzler 124 Hegeman Hilgemann

Kauffman Lawson May 108 McClelland McLuckie

Murphy Pryor Ridgeway Scott Skaggs

Van Zandt Williams 121 Wilson

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42 Davis 63 Fritts Hall Ostmann

Shear

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Kennedy moved that the vote by which the bill passed be reconsidered.

Representative Hickey moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

***HCS SS SCS SB 627**, relating to utility taxation, was taken up by Representative Mays (50).*

*Representative Mays (50) offered **HS HCS SS SCS SB 627**.*

Representative Mays (50) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 627, Section 313.297, Page 13, Line 1, by inserting at the end of all of said line the following:

*"**(3) To restore to political subdivisions revenue sources that existed prior to any previously implemented gas industry restructuring.***

***(4) To remove disparities in the liability of natural gas suppliers for business taxes, franchise fees, and payments in lieu of taxes, which disparities have arisen as a result of any previously implemented gas industry restructuring.**".*

On motion of Representative Mays (50), House Amendment No. 1 was adopted.

Representative May (108) assumed the Chair.

Representative Mays (50) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 627, Page 14, Section 393.297, Line 11, by inserting after all of said line the following:

*"**5. It is not the intent of this act to regulate the transportation of natural gas, methane, or propane in interstate commerce to the extent that such regulation is preempted by the Constitution of the United States.**".*

On motion of Representative Mays (50), House Amendment No. 2 was adopted.

Speaker Gaw resumed the Chair.

Representative Mays (50) offered House Amendment No. 3.

House Amendment No. 3

*AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 627, page 12, section 393.297, lines 17-20 by deleting the words "**for the maintenance of gas and electric lines, utility easements and public rights-of-way and for police, fire and other public health services**".*

On motion of Representative Mays (50), House Amendment No. 3 was adopted.

Representative Mays (50) offered House Amendment No. 4.

House Amendment No. 4

*AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 627, Page 17, Section 393.299, Line 4 by inserting after the first occurrence of the word "**person**" the words "**on behalf of any seller**"; and*

*Further amend said line by striking the second occurrence of the word "**person**" and inserting in lieu thereof the word "**seller**"; and*

*Further amend said page, said section, line 20 by inserting after the word "**person**" the words "**on behalf of any seller**"; and*

*Further amend said bill, page 18, section 393.299, line 1 by striking the word "**person**" and inserting in lieu thereof the word "**seller**"; and*

*Further amend said page, said section, line 3 by striking the word "**person**" and inserting in lieu thereof the word*

*"**seller**"; and*

*Further amend said bill, page 22, section 393.301, line 3 by inserting before the word "**agreements**" the words "**the seller's**".*

On motion of Representative Mays (50), House Amendment No. 4 was adopted.

*On motion of Representative Mays (50), **HS HCS SS SCS SB 627, as amended**, was adopted.*

*On motion of Representative Mays (50), **HS HCS SS SCS SB 627, as amended,** was read the third time and passed by the following vote:*

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Green Griesheimer Gross Gunn

Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer

Hegeman Hickey Hilgemann Hohulin Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Liese

Linton Lograsso Long Loudon Luetkenhaus

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Overschmidt

Parker Patek Pouche Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Scott Secrest Seigfreid

Sheldon 104 Shields Skaggs Smith Stokan

Stoll Stroker Summers Surface Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 013

Bauer Copeland Daniel 42 Davis 63 Fritts
Hall Marble Ostmann Schwab Shear
Shelton 57 Steen Thomason 163

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Akin Alter Auer Backer Ballard
Barnett Barry 100 Bartlett Bauer Bennett
Berkstresser Bland Boatright Bonner Boucher
Bray 84 Broach Burton Campbell Carter
Champion Chrismer Cierpiot Clayton Cooper
Crawford Daniels 41 Davis 122 Days DeMarce
Dolan Donovan Dougherty Edwards-Pavia Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Gaskill Gaston
Gibbons Graham 106 Graham 24 Gratz Green
Griesheimer Gross Gunn Hagan-Harrell Harlan
Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hickey
Hilgemann Hohulin Holand Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Leake Legan
Levin Liese Linton Long Luetkenhaus
Marble May 108 Mays 50 McBride McClelland
McLuckie Miller Monaco Murphy Murray
Naeger Nordwald O'Connor O'Toole Overschmidt
Parker Patek Pouche Pryor Ransdall
Reinhart Relford Reynolds Richardson Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 007

Bartelsmeyer Froelker Lograsso Loudon Merideth

Purgason Ridgeway

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 011

Copeland Crump Daniel 42 Davis 63 Fritts

Hall Lawson Ostmann Shear Shelton 57

Thomason 163

VACANCIES: 001

On motion of Representative Barry, title to the bill was agreed to.

Representative Bland moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

RECONSIDERATION

***HS HCS SB 629, as amended**, relating to community improvement, was again taken up by Representative Green.*

*Representative Green, having voted on the prevailing side, moved that the vote by which **HS HCS SB 629, as amended,** was third read and passed, be reconsidered.*

Which motion was adopted by the following vote:

AYES: 132

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Bland Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Cierpiot Clayton Cooper Crawford Daniels 41

Davis 122 Days DeMarce Dolan Donovan

Dougherty Elliott Enz Farnen Fitzwater

Foley Ford Foster Franklin Gaskill

Gaston Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hartzler 123

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Linton Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Miller Monaco Murphy

Murray Naeger O'Connor O'Toole Overschmidt

Parker Patek Pouche Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shields

Skaggs Smith Stokan Stoll Stroker

Summers Surface Thompson 37 Thompson 72 Troupe

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 009

Boatright Chrismer Evans Gibbons Hartzler 124

Nordwald Pryor Robirds Townley

PRESENT: 000

ABSENT WITH LEAVE: 021

Bauer Copeland Crump Daniel 42 Davis 63

Edwards-Pavia Fritts Froelker Hall Harlan

Liese Lograsso Ostmann Purgason Shear

Shelton 57 Steen Thomason 163 Treadway Van Zandt

Wooten

VACANCIES: 001

Representative Green, having voted on the prevailing side, moved that the vote by which ***HS HCS SB 629, as amended,*** *was adopted, be reconsidered.*

Which motion was adopted by the following vote:

AYES: 142

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Cierpiot Clayton Cooper Crawford

Crump Daniels 41 Davis 122 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Farnen Fitzwater Foley Ford

Foster Franklin Gaskill Gaston Graham 106

Graham 24 Gratz Green Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Heckemeyer

Hegeman Hendrickson Hickey Hilgemann Hohulin

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McBride McClelland McLuckie

Merideth Miller Monaco Murphy Murray

Naeger Nordwald O'Connor O'Toole Overschmidt

Parker Patek Pouche Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

NOES: 006

Chrismer Evans Gibbons Hartzler 124 Pryor

Townley

PRESENT: 002

Froelker Holand

ABSENT WITH LEAVE: 012

Bauer Copeland Daniel 42 Davis 63 Fritts

Hall Liese Ostmann Shear Shelton 57

Thomason 163 Wooten

VACANCIES: 001

***HCS SB 629, with HS, as amended, pending**, was laid over.*

MESSAGES FROM THE SENATE

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HBs 977 & 1608**, entitled:*

An act to repeal sections 441.500, 441.510, 441.530, 441.550, 441.570, 441.580, 441.590, 441.610, 441.620, 441.630, 441.640, 441.641, and 701.332, RSMo 1994, and sections 82.1025 and 441.520, RSMo Supp. 1997, relating to abatement of certain property, and to enact in lieu thereof fourteen new sections relating to the same subject.

With Senate Amendment No. 1 and Senate Amendment No. 2

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 977 & 1608, Page 1, In the Title, Line 4, by inserting after the word "abatement" the words "and rehabilitation"; and

Further amend said bill, Page 1, Section A, Line 6, by inserting after all of said line the following:

*"**67.399. 1. The governing body of any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand may adopt an ordinance as provided in this section. The ordinance may establish a semiannual registration fee not to exceed two hundred dollars which shall be charged to the owner of any parcel of residential property improved by a residential structure, or commercial property improved by a structure containing multiple dwelling units, that is vacant, has been vacant for at least six months, and is characterized by violations of applicable housing codes established by such municipality.***

2. The municipality shall designate a municipal officer to investigate any property that may be subject to the registration fee. The officer shall report his findings and recommendations, and shall determine whether any such property shall be subject to the registration fee. Within five business days, the clerk of the municipality shall notify by mail the owners of property on which the registration fee has been levied at their last known address according to the records of the city and the county. The property owner shall have the right to appeal the decision of the office to the municipal court within thirty days of such notification. Absent the existence of any valid appeal or request for reconsideration pursuant to subsection 3 of this section, the registration fee shall begin to accrue on the beginning of the second calendar quarter after the decision of the municipal officer.

3. Within thirty days of the municipality making such notification, the property owner may complete any improvements to the property that may be necessary to revoke the levy of the registration fee, and then may request a reinspection of the property and a reconsideration of the levy of the registration fee by the municipality. If the municipal officer revokes the registration fee, no such assessment shall be made and the matter shall be considered closed. If the municipal officer affirms the assessment of the registration fee, the property owner shall have the right to appeal the reconsideration decision of the municipal officer to the

municipal court within thirty days of such decision. Absent the existence of any valid appeal to the municipal court or other court of competent jurisdiction, the registration fee shall begin to accrue on the beginning of the second calendar quarter after the reconsideration decision of the municipal governing body.

4. The municipal governing body shall establish by ordinance procedures for payment of the registration fee and penalties for delinquent payments of such fees. Any registration fees which are delinquent for a period of one year shall become a lien on the property and shall be subject to foreclosure proceedings in the same manner as delinquent real property taxes. The owner of the property against which the assessment was originally made shall be able to redeem the property only by presenting evidence that the violations of the applicable housing code cited by the municipal officers have been cured and presenting payment of all registration fees and penalties. Upon bona fide sale of the property to an unrelated party said lien shall be considered released and the delinquent registration fee forgiven.*"; and*

Further amend said bill, Page 2, Section 82.1025, Line 19, by inserting immediately after all of said line the following:

"89.120. 1. In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is used in violation of sections 89.010 to 89.140 or of any ordinance or other regulation made under authority conferred hereby, the proper local authorities of the municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, to restrain, correct, or abate such violation, to prevent the occupancy of such building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises. Such regulations shall be enforced by an officer empowered to cause any building, structure, place or premises to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of the regulations made under authority of sections 89.010 to 89.140.

2. The owner or general agent of a building or premises where a violation of any provision of said regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist shall be guilty of a misdemeanor punishable ***as follows:***

(1) In any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand, by a fine of not less than ten dollars and not more than five hundred dollars for each and every day that such violation continues or by imprisonment for ten days for each and every day such violation shall continue or by both such fine and imprisonment in the discretion of the court. Notwithstanding the provisions of section 82.300, RSMo, however, for the second and subsequent offenses involving the same violation at the same building or premises, the punishment shall be a fine of not less than two hundred and fifty dollars or more than one thousand dollars for each and every day that such violation shall continue or by imprisonment for ten days for each and every day such violation shall continue or by both such fine and imprisonment in the discretion of the court;

(2) In all other municipalities, *by a fine of not less than ten dollars and not more than one hundred dollars for each and every day that such violation continues, but if the offense be willful on conviction thereof, the punishment shall be a fine of not less than one hundred dollars or more than two hundred and fifty dollars for each and every day that such violation shall continue or by imprisonment for ten days for each and every day such violation shall continue or by both such fine and imprisonment in the discretion of the court.*

3. Any such person who having been served with an order to remove any such violation shall fail to comply with such order within ten days after such service or shall continue to violate any provision of the regulations made under authority of sections 89.010 to 89.140 in the respect named in such order shall also be subject to a civil penalty of two hundred and fifty dollars.

141.530. 1. ***Except as otherwise provided in section 141.520,*** *during such waiting period and at any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as provided by this chapter[; provided, however, that]****.*** *During such [time]* ***waiting period*** *and at any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in any parcel of real estate, providing for payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments shall have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on his behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or*

agreement as to installment payments shall have been made.

2. So long as such installments be paid according to the terms of the contract, the said six months waiting period shall be extended, but if any installment be not paid when due, the extension of said waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.

3. No redemption contracts may be used under this section for residential property which has been vacant for at least six months in any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand.

141.550. 1. The sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during the term of court or while the court is in session.

2. The following provisions shall apply to any sale under this section of property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand:

(1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective parcel of real estate sold;

(2) The sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time of the sale if that person is the owner of any parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than six months.

[2.] ***3.*** *Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of the United States of America.*

[3.] ***4.*** *The collector shall advance the sums necessary to pay for the publication of all advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in his accounts with the county. He shall give credit in such accounts for all such advances recovered by him. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale."; and*

Further amend said bill, Page 10, Section 441.643, Line 4, by inserting immediately after all of said line the following:

"447.620. As used in sections 447.620 to 447.640, the following terms mean:

(1) "Housing code", a local building, fire, health, property maintenance, nuisance or other ordinance which contains standards regulating the condition or maintenance of residential buildings;

(2) "Last known address", the address where the property is located or the address as listed in the property tax records;

(3) "Low- or moderate-income housing", housing for persons and families who lack the amount of income necessary to rent or purchase adequate housing without financial assistance, as defined by such income limits as shall be established by the Missouri housing development commission for the purposes of determining eligibility under any program aimed at providing housing for low- and moderate-income families or persons;

(4) "Municipality", any incorporated city, town or village;

(5) "Nuisance", any property which because of its physical condition or use is a public nuisance or any property which constitutes a blight on the surrounding area or any property which is in violation of the applicable housing code such that it constitutes a substantial threat to the life, health or safety of the public. For purposes of sections 447.620 to 447.640, any declaration of a public nuisance by a municipality pursuant to an ordinance adopted pursuant to sections 67.400 to 67.450, RSMo, shall constitute prima facie evidence that the property is a nuisance;

(6) "Organization", any Missouri not for profit organization validly organized pursuant to law and whose purpose includes the provision or enhancement of housing opportunities in its community;

(7) "Parties in interest", any owner or owners of record, occupant, lessee, mortgagee, trustee, personal

representative, agent or other party having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located ***, except in any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand, "parties in interest" shall mean owners, lessees, mortgagees or lien holders whose interest has been recorded or filed in the public records****;*

(8) "Rehabilitation", the process of improving the property, including, but not limited to, bringing the property into compliance with the applicable housing code.

447.625. 1. Any petition filed under the provisions of sections 447.620 to 447.640 which pertains to property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand shall meet the requirements of this section.

2. Summons shall be issued and service of process shall be had as in other in rem or quasi in rem civil actions.

3. The petition shall contain a prayer for a court order approving the organization's rehabilitation plan and granting temporary possession of the property to the organization. The petition shall also contain a prayer for a sheriff's deed conveying title to the property to the organization at the expiration of the one-year period following entry of the order granting temporary possession of the property to the organization when no owner has regained possession of the property pursuant to section 447.438.

4. The court shall stay any ruling on the organization's prayer for a sheriff's deed until the one-year period has expired.

5. The owner shall be entitled to regain possession of the property by motion instead of a new petition under section 447.638. The compensation to be paid shall be set in the same manner as in section 447.638.

6. The organization may file a motion for sheriff's deed in place of a petition for judicial deed under section 447.640.

7. The provisions of sections 447.620 to 447.640 shall apply except where they are in conflict with this section.*"; and*

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 977 and 1608, Page 10, Section 701.332, Line 1, by inserting before said line the following:

"701.300. As used in sections 701.300 to [701.324] ***701.338****, the following terms mean:*

(1) "Abatement", [any set of measures]

(a) Any measure regulated solely by the Missouri department of health *designed to permanently eliminate lead hazards, which shall include:*

[(a)] ***a.*** *The removal* ***of lead-bearing substances****,* ***the*** *replacement* ***of lead-painted surfaces or fixtures****, or* ***the*** *permanent [containment]* ***enclosure*** *or encapsulation of [lead-based]* ***lead-bearing*** *substances; and*

[(b)] ***b.*** *All preparation, cleanup, disposal, and postabatement clearance testing activities associated with such measures;*

(b) "Abatement" shall not include any measure involving a de minimis surface area or activity excluded from this definition by rule;

(2) ***"Child-occupied facility", a building or portion of a building constructed prior to 1978 and visited regularly by the same child who is six or fewer years of age including, but not limited to, daycare centers, preschools and kindergarten classrooms. For the purposes of this subdivision, "visited regularly" means a minimum of two visits on different days within any week, provided that each visit lasts at least three hours and the combined weekly visits last at least six hours and the combined annual visits last at least sixty hours;***

(3) "Deleading", the removal of lead-bearing substances;

(4) *"Department", the department of health;*

[(3)] ***(5)*** *"Deteriorated lead-bearing substance", any interior or exterior lead-bearing surface coating material [described in paragraph (a) of subdivision (7) of this section]* ***as defined by rule*** *that is peeling, chipping, chalking, or cracking or any lead-bearing substance located on an interior or exterior surface or fixture that is damaged [or]****,*** *deteriorated* ***or otherwise separating from the substrate or a structure component****;*

[(4)] ***(6)*** *"Director", the director of the department of health;*

[(5)] ***(7)*** *"Dwelling", either:*

(a) A single-family dwelling, including attached structures such as porches and stoops; or

(b) A single-family dwelling unit in a structure that contains more than one separate residential dwelling unit and in which each such unit is used or occupied or intended to be used or occupied, in whole or in part, as the home or residence of one or more persons;

[(6) "Lead abatement contractors, supervisors and workers", any person or entity engaged in lead abatement for whom licensure or certification is required under sections 701.300 to 701.324;

(7)] ***(8) "Encapsulant", a liquid coating or adhesively bonded substance applied to a surface to form a barrier between a lead-bearing substance and the environment;***

(9) "Encapsulation", the application of an encapsulant;

(10) "Enclosure", the use of rigid, durable construction materials mechanically fastened to a substrate to act as a barrier between a lead-bearing substance and the environment;

(11) "Health care professional", any physician, hospital, or other person which is licensed or otherwise authorized in this state to furnish health care services;

(12) "Interim control", any measure designed to temporarily reduce human exposure or likely human exposure to lead hazards. Such measures may include, but are not limited to, specialized cleaning, repairs, maintenance, painting, temporary containment, on-going monitoring of lead hazards or potential hazards, or the establishment and operation of management and resident education programs;

(13) "Lead abatement contractor", a person or entity licensed by the department to conduct lead-bearing substance activities at a location other than the contractor's own place of business;

(14) "Lead abatement project":

(a) The encapsulation, enclosure or removal of a lead-bearing substance;

(b) "Lead abatement project" shall not include any measure involving a de minimis surface area or activity excluded from this definition by rule;

(15) "Lead abatement supervisor", a person licensed by the department to direct, control or supervise personnel in a lead abatement project;

(16) "Lead abatement worker", a person licensed by the department to work on a lead abatement project;

(17) "Lead-bearing substance activity", any activity associated with a lead abatement project including, but not limited to, project design, risk assessment, inspection, abatement or deleading under Chapter 701;

(18) *"Lead-bearing substance"* ***(a)*** *includes:*

[(a)] ***a.*** *Any paint or other surface coating* ***materials that contain lead equal to or in excess of*** *[material containing more than five-tenths of one percent lead by weight, calculated as lead metal, in the total nonvolatile content of liquid paint, or more than] one milligram per square centimeter* ***or more than five-tenths percent by weight*** *[in the dried film of paint previously applied,] or such other standard for lead content in paint as may be established by federal law or regulation; [or*

(b)] ***b.*** *Surface dust [in residential dwellings] that contains[, as a result of exposure to a lead hazard,] a concentration of lead [in excess of levels determined by the director to pose a threat of adverse health effects in pregnant women or young children]* ***specified by rules promulgated by the department that shall be consistent with the purposes of laws enacted by the United States Congress and regulations promulgated or guidance issued by any federal agency****; [or*

(c)] ***c.*** *Bare soil [on residential real property] that contains[, as a result of exposure to a lead hazard,] a concentration of lead [in excess of the levels determined to be hazardous to human health by the director]* ***specified by rules promulgated by the department that shall be consistent with the purposes of laws enacted by the United States Congress and regulations promulgated or guidance issued by any federal agency; or***

d. Any lead-based paint, lead-based paint hazard or lead-based paint activity consistent with the purposes of laws enacted by the United States Congress and regulations promulgated or guidance issued by any federal agency; and

(b) "Lead-bearing substance" as regulated by the Missouri department of health does not include any substance generated through the mining, milling or smelting of lead ore or scrap, or generated through lead product manufacturing or use provided that such substance has not migrated off or been transported from the mining, smelting, or manufacturing site and entered a residential area or any other public access environment*;*

[(8)] ***(19)*** *"Lead hazard", any condition that causes exposure to lead that would result in adverse human health effects from deteriorated lead-bearing substances or lead-bearing substances present in "accessible surfaces", "friction surfaces", or "impact surfaces", as such terms are defined in 15 U.S.C. 2681;*

[(9)] ***(20) "Lead inspection", a surface-by-surface investigation to determine the presence of lead-bearing substances and a report or provision of a report which explains the results of such an investigation;***

(21) *"Lead inspector", [the director of the department of health, his designee, or any other]* ***a*** *person [who is authorized]* ***licensed*** *by the department to conduct [comprehensive] lead inspections;*

[(10)] ***(22)*** *"Lead poisoning", the laboratory determination of a human whole blood lead level as established by the federal Centers for Disease Control;*

[(11)] ***(23)*** *"Owner", any person, who alone, jointly or severally with others:*

(a) Has legal title to any ***child-occupied facility,*** *dwelling or dwelling unit, with or without accompanying actual possession thereof; or*

(b) Has charge, care or control of [the] ***any child-occupied facility,*** *dwelling or dwelling unit as owner or agent of the owner, or as executor, administrator, trustee, or guardian of, the estate of the owner****;***

(24) "Project designer", a person licensed by the department to conduct activities including, but not limited to, the development and implementation of occupant protection plans, lead-bearing substance abatement and hazard reduction methods, interior dust abatement and cleanup methods, hazard control and reduction methods, clearance standards and testing protocols and integration of lead-bearing substance abatement methods with modernization and rehabilitation projects for lead abatement projects;

(25) "Risk assessment", an on-site investigation to determine the existence, nature, severity and location of lead hazards, and the provision of a report by the person conducting the risk assessment explaining the results of the investigation and options for reducing lead hazards;

(26) "Risk assessor", a person licensed by the department to conduct risk assessments;

(27) "Work practice standards", requirements or standards that ensure that lead-bearing substance abatement activities are conducted reliably, effectively and safely*.*

701.301. The department shall promulgate rules necessary to implement and administer the provisions of sections 701.300 to 701.338, including requirements, procedures and standards relating to lead-bearing substance activities. The rules established by the department shall be at least as protective of human health and the environment as the federal program established by the Residential Lead-Based Paint Hazard Reduction Act, as amended, 42 U.S.C. 4851, et seq., and the Toxic Substances Control Act, as amended, 15 U.S.C. 2605, 2607, and 2681 to 2692, and any federal regulations promulgated pursuant to such authority. Nothing in sections 701.300 to 701.338 shall be applied or interpreted to affect the statutes or regulations of any other state agency or the activities subject to regulation by any other state agency.

701.302. 1. There is hereby established the "[Commission] ***Advisory Committee*** *on Lead Poisoning". The members of the [commission]* ***committee*** *shall consist of [twenty-one]* ***twenty-seven*** *persons who shall be appointed by the governor with the advice and consent of the senate, except as otherwise provided in this subsection. At least five of the members of the [commission]* ***committee*** *shall be African-Americans* ***or representatives of other minority groups disproportionately affected by lead poisoning****. The members of the [commission]* ***committee*** *shall include:*

*(1) The director of the department of health or the director's designee****, who shall serve as an ex officio member****;*

*(2) The director of the department of economic development or the director's designee****, who shall serve as an ex officio member****;*

*(3) The director of the department of natural resources or the director's designee****, who shall serve as an ex officio member****;*

*(4) The director of the department of social services or the director's designee****, who shall serve as an ex officio member****;*

(5) ***The director of the department of labor and industrial relations or the director's designee, who shall serve as an ex officio member;***

(6) *One member of the senate, appointed by the president pro tempore of the senate, and one member of the house of representatives, appointed by the speaker of the house of representatives;*

[(6)] ***(7)*** *A representative of the office of the attorney general****, who shall serve as an ex officio member****;*

[(7)] ***(8)*** *A member of a city council, county commission or other local governmental entity;*

[(8)] ***(9)*** *A representative of a [local]* ***community*** *housing [authority]* ***organization****;*

[(9)] ***(10)*** *A representative of property owners;*

[(10)] ***(11)*** *A representative of the real estate industry;*

[(11) Two representatives of] ***(12) One representative of an*** *appropriate public interest [organizations]* ***organization and one representative of a local public health agency*** *promoting environmental health and advocating protection of children's health;*

[(12)] ***(13)*** *A representative of the lead industry;*

[(13)] ***(14)*** *A representative of the insurance industry;*

[(14)] ***(15)*** *A representative of the banking industry;*

[(15) A community health nurse;]

(16) A parent of a currently or previously lead-poisoned child;

(17) A representative of the school boards association or an employee of the department of elementary and secondary education, selected by the commissioner of elementary and secondary education;

(18) [A representative of a paint manufacturer] ***Two representatives of the lead abatement industry, including one licensed lead abatement contractor and one licensed lead abatement worker****;*

*(19) A physician licensed under chapter 334, RSMo****;***

(20) A representative of a lead testing laboratory;

(21) A lead inspector or risk assessor;

(22) The chief engineer of the department of transportation or the chief engineer's designee, who shall serve as an ex officio member;

(23) A representative of a regulated industrial business; and

(24) A representative of a business organization*.*

2. [By January 1, 1994, the commission shall submit a report to the general assembly and the governor. The report shall contain recommendations for legislation to implement the plans of the commission described in subsection 3 of this section.

3.] The [commission's report] ***committee*** *shall make recommendations relating to [the development of its plans]* ***actions*** *to:*

(1) Eradicate childhood lead poisoning by the year 2012;

(2) Screen [all] children for lead poisoning;

(3) Treat and medically manage [all indigent] lead-poisoned children;

(4) Prevent lead poisoning in children;

(5) [Establish and maintain] ***Maintain and increase*** *laboratory capacity for lead assessments and screening, and a quality control program for laboratories;*

(6) Abate lead problems after discovery;

(7) Identify ***additional*** *resources, either through a tax or fee structure, to implement programs necessary to address lead poisoning problems and issues;*

(8) Provide an educational program on lead poisoning for the general public and health care providers;

(9) Determine [how lead contaminated waste should be handled] ***procedures for the removal and disposal of all lead contaminated waste in accordance with the Toxic Substances Control Act, as amended, 42 U.S.C. 2681, et seq., solid waste and hazardous waste statutes, and any other applicable federal and state statutes and regulations****.*

[4.] ***3.*** *The [commission]* ***committee*** *members shall receive no compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties. All public members and local officials shall serve for a term of two years* ***and until their successors are selected and qualified****, and other members shall serve for as long as they hold the office or position from which they were appointed.*

4. No later than December fifteenth of each year, the committee shall provide a written annual report of its recommendations for actions as required pursuant to subsection 2 of this section to the governor and general

assembly, including any legislation proposed by the committee to implement the recommendations.

5. The committee shall submit records of its meetings to the secretary of the senate and the chief clerk of the house of representatives in accordance with sections 610.020 and 610.023.

701.304. 1. A representative of the department, or a representative of a unit of local government or health department [approved] ***licensed*** *by the department for this purpose, may [inspect]* ***conduct an inspection or a risk assessment at*** *a dwelling* ***or a child-occupied facility*** *for the purpose of ascertaining the existence of a lead hazard under the following conditions:*

(1) [The department, the owner of the dwelling, and an adult occupant of a dwelling which is rented or leased have been notified that an] ***An*** *occupant of the dwelling* ***or a child six or fewer years of age who regularly visits the child-occupied facility*** *has been identified as having [a dangerous]* ***an elevated*** *blood lead level [value] as defined by [the Centers for Disease Control and that the approved local health representative or the department intends to inspect the dwelling]* ***rule, and the owner of the dwelling has been notified of the inspection or risk assessment by certified mail at least three days prior****; and*

(2) The inspection ***or risk assessment*** *occurs at a reasonable time; and*

(3) The representative of the department or local government presents appropriate credentials to the owner or occupant; and

(4) [The] ***Either the*** *dwelling's owner or adult occupant* ***or the child-occupied facility's owner or agent*** *grants consent to enter the premises to conduct an inspection [without a warrant issued by the circuit court]* ***or risk assessment****; or*

(5) If consent [by the owner or adult occupant] ***to enter*** *is not granted, the representative of the department [or]****, local government [director]****, or local health department*** *may petition the circuit court for [a warrant]* ***an order*** *to enter the premises and conduct an inspection* ***or risk assessment after notifying the dwelling's owner or adult occupant in writing of the time and purpose of the inspection or risk assessment at least forty-eight hours in advance****. [If the court finds probable cause exists that the inhabitants of the dwelling are likely to suffer adverse health effects from continued exposure to a lead hazard which may be present within the dwelling, it shall issue the warrant]* ***The court shall grant the order upon a showing that an occupant of the dwelling or a child six or fewer years of age who regularly visits the child-occupied facility has been identified as having an elevated blood lead level as defined by rule****.*

2. In conducting such an inspection ***or risk assessment****, a representative of the department, or representative of a unit of local government or health department [approved]* ***licensed*** *by the department for this purpose, may remove samples necessary for laboratory analysis in the determination of the presence of a lead-bearing substance or lead hazard in the designated dwelling* ***or child-occupied facility****.*

701.306. [Upon determination by] ***If*** *the department, or a representative of a unit of local government or health department [approved]* ***licensed*** *by the department for this purpose,* ***determines*** *that there is a lead hazard at a dwelling* ***or child-occupied facility*** *which poses a risk of adverse health effects upon young children [within that dwelling], the department or its [approved]* ***licensed*** *local representative:*

(1) Shall provide written notification to the owner and an adult occupant of the dwelling ***or the owner or agent of a child-occupied facility*** *of the confirmed presence of a lead hazard which may lead to adverse health effects upon small children who reside in* ***or regularly visit*** *the residence* ***or facility****. The written notification shall include recommendations appropriate for reduction of the lead hazard to an acceptable level and a reasonable time period for abating* ***or establishing interim controls for*** *any such lead hazard that is accessible to small children who reside in* ***or regularly visit*** *the dwelling* ***or facility****; and*

(2) ***May provide written notification to the parents or guardians of children who regularly visit a child-occupied facility of the confirmed presence of a lead hazard that may lead to adverse health effects; and***

(3) *May provide a copy of the written notification to the local health officers.*

701.308. 1. Upon receipt of [such] ***written*** *notification* ***of the presence of a lead hazard,*** *the owner shall comply with the requirement for abating* ***or establishing interim controls for*** *the lead hazard in a manner consistent with the recommendations described by the department and within the applicable time period. If the dwelling* ***or child-occupied facility*** *is a rental or leased property, the owner may remove it from the rental market.*

2. [No] ***Except as provided in subsection 1 of this section, no*** *tenant shall be evicted because an individual with an elevated blood lead level or with suspected lead poisoning resides in the dwelling, or because of any action required of the dwelling owner as a result of enforcement of sections 701.300 to [701.324]* ***701.338****. The provisions of this subsection shall not operate to prevent the owner of any such dwelling from evicting a tenant for any other reason as provided by law[, including an assessment by the local health department that the abatement process puts a tenant's health at risk of lead poisoning].*

3. ***No child shall be denied attendance at a child-occupied facility because of an elevated blood lead level or suspected lead poisoning or because of any action required of the facility owner as a result of enforcement of sections 701.300 to 701.338. The provisions of this subsection shall not prevent the owner or agent of any such***

child-occupied facility from denying attendance for any other reason allowed by law.

4. *Whenever the department, representative of a unit of local government, or local health department [approved]* ***licensed*** *by the department for this purpose, finds, after [inspection and]* ***providing*** *written notification* ***to the owner****, that required actions which will result in the reduction of a lead hazard in a dwelling* ***or child-occupied facility*** *have not been taken, the owner shall be deemed to be in violation of sections 701.300 to [701.324]* ***701.338****.* ***Such violation shall not by itself create a cause of action.*** *The department or the local government or local [approved] health department shall [notify]****:***

(1) Notify *in writing the owner found to be causing, allowing or permitting the violation to take place [and shall order]****; and***

(2) Order *that [prior to a time fixed by the department in consultation with the dwelling owner,] the owner* ***of the dwelling or child-occupied facility*** *shall cease and abate causing, allowing or permitting the violation and shall take such action as is necessary to comply with this section and the rules [or regulations] promulgated [under]* ***pursuant to*** *this section. [In cases where]*

5. If *no action is taken* ***pursuant to subsection 4 of this section*** *which [will]* ***would*** *result in abatement* ***or interim control*** *of the lead hazard within the stated time period, [either or both of] the following steps may be taken:*

(1) The local health officer and local building officials may, as practical, use such community or other resources as are available to effect the relocation of the individuals who occupied the affected dwelling ***or child-occupied facility*** *until the owner complies with the notice; [and]* ***or***

(2) The department, representative of a unit of local government or health department [approved] ***licensed*** *by the department for this purpose, shall report any violation of sections 701.300 to [701.324]* ***701.338*** *to the prosecuting attorney of the county in which the dwelling* ***or child-occupied facility*** *is located and notify the owner that such a report has been made. The prosecuting attorney shall [take additional measures]* ***seek injunctive relief*** *to ensure that the lead hazard is abated* ***or that interim controls are established****.*

701.309. 1. At least ten days prior to the onset of a lead abatement project, the lead abatement contractor conducting such an abatement project shall:

(1) Submit to the department a written notification as prescribed by the department; and

(2) Pay a notification fee of twenty-five dollars.

2. If the lead abatement contractor is unable to comply with the requirements of subsection 1 of this section because of an emergency situation as defined by rule, the contractor shall:

(1) Notify the department by other means of communication within twenty-four hours of the onset of the project; and

(2) Submit the written notification and notification fee prescribed in subsection 1 of this section to the department no more than five days after the onset of the project.

701.310. 1. Any abatement of the lead hazard from the dwelling ***or child-occupied facility*** *shall be performed in a manner so as not to endanger the health of its occupants or persons performing the abatement.*

2. To the extent permitted by federal regulations, [the owner of] ***an individual who is an owner, a partner in a partnership owning, or a corporate officer in a corporation owning*** *a dwelling* ***and*** *who is not licensed [or certified under]* ***pursuant to*** *section [701.314]* ***701.312*** *may* ***personally*** *perform lead [hazard] abatement within a dwelling that he* ***or she*** *owns****, unless the residential dwelling is occupied by a person or persons other than the owner, or the owner's immediate family while these activities are being performed, or a child residing in the building has been identified as having an elevated blood lead level****. Prior to beginning such abatement, the owner shall consult with the department regarding the most effective method of conducting such lead abatement activities and of the proper procedures in performing those activities.*

701.311. 1. Any authorized representative of the department who presents appropriate credentials may, at all reasonable times, enter public or private property to conduct compliance inspections of lead abatement contractors as may be necessary to implement the provisions of sections 701.300 to 701.338 and any rules promulgated pursuant to sections 701.300 to 701.338.

2. It is unlawful for any person to refuse entry or access requested for inspecting or determining compliance with sections 701.300 to 701.338. A suitably restricted search warrant, upon a showing of probable cause in writing and upon oath, shall be issued by any circuit or associate circuit judge having jurisdiction for the purpose of enabling such inspections.

3. Whenever the director determines through a compliance inspection that there are reasonable grounds to believe that there has been a violation of any provision of sections 701.300 to 701.338 or the rules promulgated pursuant to sections 701.300 to 701.338, the director shall give notice of such alleged violation to the owner or person responsible, as provided in this section. The notice shall:

(1) Be in writing;

(2) Include a statement of the reasons for the issuance of the notice;

(3) Allow reasonable time as determined by the director for the performance of any act the notice requires;

(4) Be served upon the property owner or person responsible as the case may require, provided that such notice shall be deemed to have been properly served upon such person when a copy of such notice has been sent by registered or certified mail to the person's last known address as listed in the local property tax records concerning such property, or when such person has been served with such notice by any other method authorized by law;

(5) Contain an outline of corrective action which is required to effect compliance with sections 701.300 to 701.338 and the rules promulgated pursuant to sections 701.300 to 701.338.

4. If an owner or person files a written request for a hearing within ten days of the date of receipt of a notice, a hearing shall be held within thirty days from the date of receipt of the notice before the director or the director's designee to review the appropriateness of the corrective action. The director shall issue a written decision within thirty days of the date of the hearing. Any final decision of the director may be appealed to the administrative hearing commission as provided in chapter 621, RSMo. Any decision of the administrative hearing commission may be appealed as provided in sections 536.100 to 536.140, RSMo.

5. The attorney general or the prosecuting attorney of the county in which any violation of sections 701.300 to 701.338 or the rules promulgated pursuant to sections 701.300 to 701.338, occurred shall, at the request of the city, county or department, institute appropriate proceedings for correction.

6. When the department determines that an emergency exists which requires immediate action to protect the health and welfare of the public, the department is authorized to seek a temporary restraining order and injunction. Such action shall be brought at the request of the director by the local prosecuting attorney or the attorney general. For the purposes of this subsection, an "emergency" means any set of circumstances that constitutes an imminent health hazard or the threat of an imminent health hazard.

701.312. 1. [By July 1, 1994,] The director of the department of health shall develop a program to [train and] license lead inspectors ***, risk assessors, lead abatement supervisors, lead abatement workers, project designers and lead abatement contractors****. The director shall promulgate rules and regulations including, but not limited to:*

(1) The power to issue, restrict, suspend ***, revoke, deny*** *and reissue licenses;*

(2) The ability to enter into reciprocity agreements with other states that have similar licensing provisions;

(3) Fees for any such licenses;

(4) [The curriculum for training;] ***Training, education and experience requirements; and***

(5) The [development of a state test and testing standards.

2. The director may authorize employees of the state and local health departments and agencies to temporarily conduct inspections without receiving a license issued under this section until January 31, 1996. The director shall set forth standards and conditions under which unlicensed inspectors may conduct inspections during this transition period.] ***implementation of work practice standards, reporting requirements and licensing standards.***

2. The director shall issue temporary risk assessor licenses to persons who, as of the effective date of this section, are licensed by the department as lead inspectors. The temporary risk assessor licenses issued pursuant to this subsection shall expire upon the same date as the expiration date of such person's lead inspector license. The director shall set forth standards and conditions under which temporary risk assessor licenses shall be issued.

701.314. [1. By July 1, 1994,] The director of the department of health shall develop a program to [train and license] ***accredit training providers to train lead inspectors, risk assessors,*** *lead abatement [contractors, supervisors and workers]* ***supervisors, lead abatement workers and project designers****. The director shall promulgate rules and regulations including, but not limited to:*

(1) The power to [issue] ***grant****, restrict, suspend [and reissue licenses]* ***, revoke, deny or renew accreditation****;*

(2) The ability to enter into reciprocity agreements with other states that have similar [licensing] ***accreditation*** *provisions;*

(3) Fees for any such [licenses] ***accreditation****;*

(4) The curriculum for training;

(5) The development of [a state test and testing] standards ***for accreditation; and***

(6) Procedures for monitoring, training, recordkeeping and reporting requirements for training providers.

[2. The director may authorize persons to temporarily conduct lead abatement activities without receiving a license issued under this section until January 31, 1996. The director shall set forth standards and conditions under which unlicensed contractors, supervisors and workers may conduct lead abatement activities during this transition period.]

701.316. 1. Except as otherwise authorized by [subsection 2 of section 701.314, subsection 2 of section 701.312, and] subsection 2 of section 701.310, no person shall engage in or conduct [lead inspections or abatement on or after July 1, 1994,] ***lead-bearing substance activities*** *without having successfully completed a [certified]* ***department or United States Environmental Protection Agency accredited*** *training program and without having been [certified or] licensed[, as appropriate,] by the department. [Each person so trained and certified or licensed shall be issued a photo identity card.]*

2. The department shall develop and periodically update lists of all licensed [and certified] inspectors, contractors, supervisors, workers, and other persons who perform lead hazard inspection and abatement and shall make such lists available free of charge to interested parties and the public.

3. The department may ***restrict,*** *revoke, suspend[, cancel,] or deny [any certification or] any license at any time if it believes that the terms or conditions [thereof]* ***of such license*** *are being violated or that the holder of, or applicant for, the [certification or] license has violated any regulation of the department or any other state law or regulation, or any federal law or regulation, or the laws or regulations of other states. The* ***restriction,*** *revocation, suspension[, cancellation,] or denial shall be effective immediately. Any person aggrieved by a determination by the department to* ***restrict,*** *deny, revoke[, cancel,] or suspend any [certification or] license may request a hearing[. The department shall conduct the hearing as soon as reasonably possible after the request. The certification or]* ***before the administrative hearing commission within thirty days of receipt of the notice of license restriction, revocation, suspension or denial. The*** *licensure shall remain* ***restricted,*** *revoked, suspended[, canceled,] or denied while the hearing is pending.*

4. The director may issue an immediate cease-work order to any person who violates the terms or conditions of any license [or certification] issued [under this section or] ***pursuant to*** *any provision of sections 701.300 to [701.324]* ***701.338*** *or any regulation promulgated [hereunder or order issued thereunder]* ***pursuant to sections 701.300 to 701.338*** *if, in the best judgment of the director, such violation presents a [clear and significant] health risk to any [occupant, lead inspector, contractor, supervisor, worker, or other] person [engaged in lead abatement and inspection.*

5. The director shall assess fees for certifications and licenses issued in accordance with rules or regulations promulgated pursuant to sections 701.300 to 701.330. All such fees shall be deposited into the state treasury to the credit of the Missouri public health services fund, established in section 192.900, RSMo].

701.318. 1. The department shall develop regulations for laboratory analysis of lead-bearing substances. Such regulations shall include, but not be limited to, provisions establishing a mandatory quality assurance and quality control program.

2. [By August 28, 1994, all] ***All*** *laboratories performing blood lead analyses shall be in compliance with the conditions of the federal Clinical Lab Improvement Act (CLIA).*

3. All laboratories shall report blood lead testing results [that are equal to or greater than ten micrograms per deciliter to the department] ***as required by rule****.*

701.320. [Any] ***Except as otherwise provided,*** *violation of the provisions of sections 701.308,* ***701.309,*** *701.310,* ***701.311*** *and 701.316 is a class A misdemeanor.*

701.326. 1. The department of health shall establish and maintain a lead poisoning information reporting system which shall include a record of lead poisoning cases which occur in Missouri along with the information concerning these cases which is deemed necessary and appropriate to conduct comprehensive epidemiologic studies of lead poisoning in this state and to evaluate the appropriateness of lead abatement programs.

2. The director of the department of health shall promulgate rules and regulations specifying the level of lead poisoning which shall be reported and any accompanying information to be reported in each case. Such information may include the patient's name, address, diagnosis, pathological findings, the stage of the disease, environmental and known occupational factors, method of treatment and other relevant data from medical histories. Reports of lead poisoning shall be filed with the director of the department of health within a period of time specified by the director. The department shall prescribe the form and manner in which the information shall be reported.

3. The attending [physician] ***health care professional*** *of any patient with lead poisoning shall provide[, in writing,] to the department of health the information required pursuant to this section.*

701.328. 1. The department of health shall protect the identity of the patient and physician involved in the reporting required by [section 701.326] ***sections 701.318 to 701.330****. Such identity shall not be revealed except that the identity of the patient shall be released only upon written consent of the patient. The identity of the*

physician shall be released only upon written consent of the physician.

2. The department [shall request] ***may release without*** *consent [for release from a patient or physician only upon a showing by the applicant for such release that obtaining]* ***any information obtained pursuant to sections 701.318 to 701.330, including*** *the identities of certain patients or physicians****, when the information*** *is necessary for [his lead poisoning research and that such lead poisoning research is worthwhile]* ***the performance of duties by public employees within, or the legally designated agents of, any state or local agency, department or political subdivision, but only when such employees and agents need to know such information to perform their public duties****.*

3. The department shall use or publish reports based upon materials reported [under sections 701.326 to 701.330] ***pursuant to sections 701.318 to 701.330*** *to advance research, education, treatment and lead abatement. The department shall provide qualified researchers with data from the reported information upon the researcher's compliance with appropriate conditions as provided by rule and upon payment of a fee to cover the cost of processing the data.*

701.330. 1. No individual or organization providing information to the department in accordance with sections [701.326] ***701.318*** *to 701.330 shall be deemed to be, or be held, liable, either civilly or criminally, for divulging confidential information unless such individual or organization acted in bad faith, negligently, or with malicious purpose.*

2. Nothing in sections [701.326] ***701.318*** *to 701.330 shall be construed to compel any individual to submit to a medical or health department examination, treatment or supervision of any kind.*

3. Any violation of sections [701.326] ***701.318*** *to 701.330 is an infraction.*

701.334. The department shall promote and encourage minorities and females and minority- and female-owned entities to apply for licensure [or certification under sections 701.312 and 701.314] ***pursuant to section 701.312*** *as licensed [or certified] lead inspectors,* ***risk assessors, project designers, and*** *lead abatement contractors, supervisors and workers."; and*

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***HB 1136****, entitled:*

An act to repeal sections 198.026 and 198.029, RSMo 1994, relating to convalescent, nursing and boarding homes, and to enact in lieu thereof two new sections relating to the same subject.

With Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 2, and Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 3.

Senate Substitute Amendment No. 1

for

Senate Committee Amendment No. 1

AMEND House Bill No. 1136, Page 1, In the Title, Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following: "To repeal sections 197.200, 198.012, 198.022, 198.026, 198.029, 198.032, 198.070, 208.535 and 660.099, RSMo 1994, and sections 198.067 and 208.533, RSMo Supp. 1997, relating to long-term care, and to enact in lieu thereof fifteen new sections relating to the same subject."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 197.200, 198.012, 198.022, 198.026, 198.029, 198.032, 198.070, 208.535 and 660.099, RSMo 1994, and sections 198.067 and 208.533, RSMo Supp. 1997, are repealed and fifteen new sections enacted in lieu thereof, to be known as sections 197.200, 198.012, 198.022, 198.026, 198.029, 198.032, 198.067, 198.070, 198.071, 208.533, 208.535, 660.099, 1, 2 and 3, to read as follows:

"197.200. As used in sections 197.200 to 197.240, unless the context clearly indicates otherwise, the following terms mean:

(1) "Ambulatory surgical center", any public or private establishment operated primarily for the purpose of performing surgical procedures or primarily for the purpose of performing childbirths, and which does not provide services or other accommodations for patients to stay ***within the establishment*** *more than twenty-three hours [within the establishment]* ***for surgical procedures, forty-eight hours following vaginal deliveries or ninety-six hours following cesarean sections****, provided, however, that nothing in this definition shall be construed to include the offices of dentists currently licensed pursuant to chapter 332, RSMo;* ***provided further that nothing in this subdivision shall be construed to authorize treatment for more than twenty-three consecutive hours in an ambulatory surgical center until the department of health promulgates rules and regulations pursuant to chapter 536, RSMo, governing the delivery of extended care obstetrical services in ambulatory surgical centers. Such regulations shall include, but not be limited to, standards for patient safety and security and facilities programs, and services to be provided in connection with the care of patients in ambulatory surgical centers;***

(2) "Dentist", any person currently licensed to practice dentistry pursuant to chapter 332, RSMo;

(3) "Department", the department of health;

(4) "Governmental unit", any city, county or other political subdivision of this state, or any department, division, board or other agency of any political subdivision of this state;

(5) "Person", any individual, firm, partnership, corporation, company, or association and the legal successors thereof;

(6) "Physician", any person currently licensed to practice medicine pursuant to chapter 334, RSMo;

(7) "Podiatrist", any person currently licensed to practice podiatry pursuant to chapter 330, RSMo.

198.012. 1. The provisions of sections 198.003 to 198.136 shall not apply to any of the following entities:

(1) Any hospital, facility or other entity operated by the state or the United States;

(2) Any facility or other entity otherwise licensed by the state and operating exclusively under such license and within the limits of such license, unless the activities and services are or are held out as being activities or services normally provided by a licensed facility [under] ***pursuant to*** *sections 198.003 to 198.186, 198.200, 208.030, and 208.159, RSMo, except hospitals licensed [under]* ***pursuant to*** *the provisions of chapter 197, RSMo;*

(3) Any hospital licensed [under] ***pursuant to*** *the provisions of chapter 197, RSMo, provided that the residential care facility II, intermediate care facility or skilled nursing facility are physically attached to the acute care hospital; and provided further that the department of health in promulgating rules, regulations and standards pursuant to section 197.080, RSMo, with respect to such facilities, shall establish requirements and standards for such hospitals consistent with the intent of this chapter, and sections* ***198.032,*** *198.067, 198.070,* ***198.071,*** *198.090, 198.093 and 198.139 to 198.180 shall apply to every residential care facility II, intermediate care facility or skilled nursing facility regardless of physical proximity to any other health care facility;*

(4) Any facility licensed pursuant to sections 630.705 to 630.760, RSMo, which provides care, treatment, habilitation and rehabilitation exclusively to persons who have a primary diagnosis of mental disorder, mental illness, mental retardation or developmental disabilities, as defined in section 630.005, RSMo;

(5) Any provider of care under a life care contract, except to any portion of the provider's premises on which the provider offers services provided by an intermediate care facility or skilled nursing facility as defined in section 198.006. For the purposes of this section, "provider of care under a life care contract" means any person contracting with any individual to furnish specified care and treatment to the individual for the life of the individual, with significant prepayment for such care and treatment.

2. Nothing in this section shall prohibit any of these entities from applying for a license [under] ***pursuant to*** *sections 198.003 to 198.136.*

198.022. 1. Upon receipt of an application for a license to operate a facility, the department shall review the application, investigate the applicant and the statements sworn to in the application for license and conduct any necessary inspections. A license shall be issued if the following requirements are met:

(1) The statements in the application are true and correct;

(2) The facility and the operator are in substantial compliance with the provisions of sections 198.003 to 198.096 and the standards established thereunder;

(3) The applicant has the financial capacity to operate the facility;

(4) The administrator of a residential care facility II, a skilled nursing facility, or an intermediate care facility is currently licensed [under] ***pursuant to*** *the provisions of chapter 344, RSMo;*

(5) Neither the operator nor any principals in the operation of the facility have ever [been convicted of] ***pled guilty or been found guilty of*** *a felony offense****, or pursuant to the laws of another jurisdiction of a crime which, if committed within this state would be a felony,*** *concerning the operation of a long-term health care facility or other health care facility or ever knowingly acted or knowingly failed to perform any duty which materially and adversely affected the health, safety, welfare or property of a resident, while acting in a management capacity. The operator of the facility or any principal in the operation of the facility shall not be under exclusion from participation in the title XVIII (medicare) or title XIX (medicaid) program of any state or territory;*

(6) Neither the operator nor any principals involved in the operation of the facility have ever [been convicted of] ***pled guilty or been found guilty of*** *a felony in any state or federal court arising out of conduct involving either management of a long-term care facility or the provision or receipt of health care;*

(7) All fees due to the state have been paid.

2. Upon denial of any application for a license, the department shall so notify the applicant in writing, setting forth therein the reasons and grounds for denial.

3. The department may inspect any facility and any records and may make copies of records, at the facility, at the department's own expense, required to be maintained by sections 198.003 to 198.096 or by the rules and regulations promulgated thereunder at any time if a license has been issued to or an application for a license has been filed by the operator of such facility. The department shall make at least two inspections per year, at least one of which shall be unannounced to the operator. The department may make such other inspections, announced or unannounced, as it deems necessary to carry out the provisions of sections 198.003 to 198.136.

4. Whenever the department has reasonable grounds to believe that a facility required to be licensed [under] ***pursuant to*** *sections 198.003 to 198.096 is operating without a license, and the department is not permitted access to inspect the facility, or when a licensed operator refuses to permit access to the department to inspect the facility, the department shall apply to the circuit court of the county in which the premises is located for an order authorizing entry for such inspection, and the court shall issue the order if it finds reasonable grounds for inspection or if it finds that a licensed operator has refused to permit the department access to inspect the facility."; and*

Further amend said bill, Pages 1 to 3, Section 198.026, Lines 1 to 55, and Section 198.026, Lines 1 to 16, by deleting all of said sections and inserting in lieu thereof the following:

"198.026. 1. Whenever a duly authorized representative of the department finds upon an inspection of a facility that it is not in compliance with the provisions of sections 198.003 to 198.096 and the standards established thereunder, the operator or administrator shall be informed of the deficiencies in an exit interview conducted with the operator or administrator or [his] ***the operator's or administrator's*** *designee. The department shall inform the operator or administrator, in writing, of any violation of a class I standard at the time the determination is made. A written report shall be prepared of any deficiency for which there has not been prompt remedial action, and a copy of such report and a written correction order shall be sent to the operator or administrator by certified mail or other delivery service that provides a dated receipt of delivery at the facility address within ten working days after the inspection, stating separately each deficiency and the specific statute or regulation violated.*

2. The operator or administrator shall have five working days following receipt of a written report and correction order regarding a violation of a class I standard and ten working days following receipt of the report and correction order regarding violations of class II or class III standards to request any conference and to submit a plan of correction for the department's approval which contains specific dates for achieving compliance. Within five working days after receiving a plan of correction regarding a violation of a class I standard and within ten working days after receiving a plan of correction regarding a violation of a class II or III standard, the department shall give its written approval or rejection of the plan. If there was a violation of any class I standard, immediate corrective action shall be taken by the operator or administrator and a written plan of correction shall be submitted to the department. The department shall give its written approval or rejection of the plan and if the plan is acceptable, a reinspection shall be conducted within twenty calendar days of the exit interview to determine if deficiencies have been corrected. If there was a violation of any class II standard and the plan of correction is acceptable, an unannounced reinspection shall be conducted between forty and ninety calendar days from the date of the exit conference to determine the status of all previously cited deficiencies. If there was a violation of class III standards sufficient to establish that the facility was not in substantial compliance, an unannounced reinspection shall be conducted within one hundred twenty days of the exit interview to determine the status of previously identified deficiencies.

3. If, following the reinspection, the facility is found not in substantial compliance with sections 198.003 to 198.096 and the standards established thereunder or the operator is not correcting the noncompliance in accordance with the approved plan of correction, the department shall issue a notice of noncompliance, which shall be sent by certified mail or other delivery service that provides a dated receipt of delivery to each person disclosed to be an owner or operator of the facility, according to the most recent information or documents on file with the department.

4. The notice of noncompliance shall inform the operator or administrator that the department may seek the imposition of any of the sanctions and remedies provided for in section 198.067, or any other action authorized by law.

5. At any time after an inspection is conducted, the [operator] ***parties*** *may choose to enter into a consent agreement with the department to obtain a probationary license. The consent agreement shall include a provision that the operator will voluntarily surrender the license if substantial compliance is not reached in accordance with the terms and deadlines established [under]* ***pursuant to*** *the agreement. The agreement shall specify the stages, actions and time span to achieve substantial compliance.*

6. Whenever a notice of noncompliance has been issued, the operator shall post a copy of the notice of noncompliance and a copy of the most recent inspection report in a conspicuous location in the facility, and the department shall send a copy of the notice of noncompliance to the division of family services of the department of social services, the department of mental health, and any other concerned federal, state or local governmental agencies. ***Upon request, the department shall send a copy of the notice of noncompliance, the statement of deficiencies, and the response by the facility and their plan of correction to the state representative and state senator for the district in which the cited facility is located and the department shall forward any changes made in the citation.***

7. In order to ensure uniformity of application of regulations throughout the state, the department shall:

(1) Evaluate the requirements for inspectors or surveyors of facilities, including the eligibility, training and testing requirements for the position. Based on the evaluation, the department shall develop and implement additional training and knowledge standards for inspectors or surveyors;

(2) Periodically evaluate the performance of the inspectors or surveyors regionally and statewide in order to identify any deviations or inconsistencies in regulation application. At a minimum, the Missouri on-site surveyor evaluation process and the number and type of actions overturned by the informal dispute resolution process and formal appeal shall be used in the evaluation. Based on this evaluation, the department shall develop standards and a retraining process for the region, state or individual inspector or surveyor, as needed; and

(3) With the full cooperation of and in conjunction with the department of health, evaluate the implementation and compliance of the provisions of subdivision (3) of subsection 1 of section 198.012 in which rules, requirements, regulations and standards pursuant to section 197.080, RSMo, for residential care facilities II, intermediate care facilities and skilled nursing facilities attached to an acute care hospital are consistent with the intent of chapter 198.

198.029. The provisions of section 198.026 notwithstanding, whenever a duly authorized representative of the department finds upon inspection of a licensed facility, and the director of the department finds upon review, that the facility or the operator is not in substantial compliance with a standard or standards the violations of which would present either an imminent danger to the health, safety or welfare of any resident or a substantial probability that death or serious physical harm would result and which is not immediately corrected, the department shall:

(1) Give immediate written notice of the noncompliance to the operator, administrator or person managing or supervising the conduct of the facility at the time the noncompliance is found;

(2) Make public the fact that a notice of noncompliance has been issued to the facility. ***In cases of immediate jeopardy,*** *copies of the notice shall be sent to appropriate hospitals and social service agencies;*

*(3) Send a copy of the notice of noncompliance****, the statement of deficiencies, and the response by the facility and their plan of correction*** *to the division of family services of the department of social services, the department of mental health,* ***and, upon request, to the state representative and state senator for the district in which the facility is located,*** *and any other concerned federal, state or local government agencies.* ***The department shall forward any changes made in the citation.*** *The facility shall post in a conspicuous location in the facility a copy of the notice of noncompliance and a copy of the most recent inspection report.*

198.032. 1. Nothing contained in sections 198.003 to 198.186 shall permit the public disclosure by the department of confidential medical, social, personal or financial records of any resident in any facility, except when disclosed in a manner which does not identify any resident, or when ordered to do so by a court of competent jurisdiction. Such records shall be accessible without court order for examination and copying only to the following persons or offices, or to their designees:

(1) The department or any person or agency designated by the department;

(2) The attorney general;

(3) The department of mental health for residents placed through that department;

(4) Any appropriate law enforcement agency;

(5) The resident, his ***or her*** *guardian, or any other person designated by the resident; and*

(6) Appropriate committees of the general assembly and the state auditor, but only to the extent of financial records which the operator is required to maintain pursuant to sections 198.088 and 198.090.

2. Inspection reports and written reports of investigations of complaints, of substantiated reports of abuse and neglect received in accordance with section 198.070, and complaints received by the department relating to the quality of care of facility residents, shall be accessible to the public for examination and copying, provided that such reports are disclosed in a manner which does not identify the complainant or any particular resident. Records and reports shall clearly show what steps the department and the institution are taking to resolve problems indicated in [said] ***such*** *inspections, reports and complaints.*

3. ***Inspection reports and written reports of investigations of complaints made after the effective date of this section of unsubstantiated reports of abuse and neglect received in accordance with section 198.070, and unsubstantiated complaints received by the department relating to the quality of care of facility residents shall be accessible to the administrator, owner and operator of the facility named in the complaint for examination and copying, provided that such reports are disclosed in a manner which does not identify the complainant or any particular resident. The department shall promulgate rules and regulations for an appeal process by a resident, resident's family or legal guardian when a report of abuse or neglect has been found unsubstantiated by the department.***

4. *The department shall maintain a central registry capable of receiving and maintaining reports received in a manner that facilitates rapid access and recall of the information reported, and of subsequent investigations and other relevant information. The department shall electronically record any telephone report of suspected abuse and neglect received by the department and such recorded reports shall be retained by the department for a period of one year after recording.* ***The department shall protect and keep confidential the identity of reporters or complainants to the central registry, and shall only be released or disclosed as provided pursuant to section 660.320, RSMo.***

[4.] ***5.*** *Although reports to the central registry may be made anonymously, the department shall in all cases, after obtaining relevant information regarding the alleged abuse or neglect, attempt to obtain the name and address of any person making a report.*

6. The department of health shall fully cooperate with the department of social services in order to comply with this section.

198.067. 1. An action may be brought by the department, or by the attorney general on his ***or her*** *own volition or at the request of the department or any other appropriate state agency, to temporarily or permanently enjoin or restrain any violation of sections 198.003 to 198.096, to enjoin the acceptance of new residents until substantial compliance with sections 198.003 to 198.096 is achieved, or to enjoin any specific action or practice of the facility. Any action brought [under]* ***pursuant to*** *the provisions of this section shall be placed at the head of the docket by the court, and the court shall hold a hearing on any action brought [under]* ***pursuant to*** *the provisions of this section no less than fifteen days after the filing of the action.*

2. The department may bring an action in circuit court to recover a civil penalty against the licensed operator of the facility as provided by this section. Such action shall be brought in the circuit court for the county in which the facility is located. The circuit court shall determine the amount of penalty to be assessed within the limits set out in this section. Appeals may be taken from the judgment of the circuit court as in other civil cases.

3. The operator of any facility which has been cited with a violation of sections 198.003 to 198.096 or the regulations established pursuant thereto, or of subsection (b), (c), or (d) of section 1396r of Title 42 of the United States Code or the regulations established pursuant thereto, is liable to the state for civil penalties of up to ten thousand dollars for each day that the violations existed or continues to exist. Violations shall be presumed to continue to exist from the time they are found until the time the division of aging finds them to have been corrected. The amount of the penalty shall be determined as follows:

(1) For each violation of a class I standard, not less than one hundred fifty dollars nor more than one thousand dollars;

(2) For each violation of a class II standard, not less than fifty dollars nor more than five hundred dollars;

(3) For each violation of a class III standard, not less than fifteen dollars nor more than one hundred fifty dollars;

(4) For each violation of a federal standard which does not also constitute a violation of a state law or regulation, not less than two hundred fifty dollars nor more than five hundred dollars;

(5) For each specific class I violation by the same operator which has been cited within the past twenty-four months and for each specific class II or III violation by the same operator which has been cited within the past twelve months, double the amount last imposed.

As used in this subdivision the term "violation" shall mean a breach of a specific state or federal standard or statute which remains uncorrected and not in accord with the accepted plan of correction at the time of the reinspection conducted pursuant to subsection 3 of section 198.026 or the regulations established pursuant to Title 42 of the United States Code. A judgment rendered against the operator of a facility pursuant to this

subsection shall bear interest as provided in subsection 1 of section 408.040, RSMo.

*4. Any individual who willfully and knowingly certifies [under] **pursuant to** subsection (b)(3)(B)(i) of section 1396r of Title 42 of the United States Code a material and false statement in a resident assessment is subject to a civil penalty of not more than one thousand dollars with respect to each assessment. Any individual who willfully and knowingly causes another individual to certify [under] **pursuant to** subsection (b)(3)(B)(i) of section 1396r of Title 42 of the United States Code a material and false statement in a resident assessment is subject to a civil penalty of not more than five thousand dollars with respect to each assessment.*

5. The imposition of any remedy provided for in sections 198.003 to 198.186 shall not bar the imposition of any other remedy.

*6. Penalties collected pursuant to this section shall be deposited in the division of aging elderly home delivered meals trust fund as established in section 660.078, RSMo. **Such penalties shall not be considered a charitable contribution for tax purposes.***

7. To recover any civil penalty, the moving party shall prove by clear and convincing evidence that the violation occurred.

*8. The licensed operator of a facility against whom an action to recover civil penalty is brought pursuant to this section may confess judgment as provided in section 511.070, RSMo, at any time prior to hearing. If [said] **such** licensed operator agrees to confess judgment, the amount of the civil penalty recommended by the moving party in its petition shall be reduced by twenty-five percent and the confessed judgment shall be entered by the circuit court at the reduced amount.*

9. The amount of any civil penalty assessed by the circuit court pursuant to this section shall be reduced by the amount of any civil monetary penalty which the licensed operator of the facility may establish it has paid pursuant to the laws of the United States for the breach of the same federal standards for which the state action is brought.

*10. In addition to the civil penalties specified in subdivision (1) of subsection 3 of this section, any facility which is cited with a violation of a class I standard pursuant to subsection 1 of section 198.085, when such violation results in serious physical injury or abuse of a sexual nature pursuant to subdivision (1) of section 198.006, to any resident of that facility shall be liable to the state for a civil penalty of one hundred dollars multiplied by the number of beds licensed to the facility, up to a maximum of ten thousand dollars pursuant to subsections 1 and 2 of this section. The liability of the facility for civil penalties [under] **pursuant to** this section shall be incurred immediately upon the citation of the violation and shall not be affected by any subsequent correction of the violation. For the purposes of this section, "serious physical injury" means physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.*

*198.070. 1. When any physician, dentist, chiropractor, optometrist, podiatrist, intern, nurse, medical examiner, social worker, psychologist, minister, Christian Science practitioner, peace officer, pharmacist, physical therapist, facility administrator, employee in a facility, or employee of the department of social services or of the department of mental health, coroner, dentist, hospital and clinic personnel engaged in examination, other health practitioners, mental health professional, adult day care worker, probation or parole officer, law enforcement official or other person with the care of a person sixty years of age or older or an eligible adult has reasonable cause to believe that a resident of a facility has been abused or neglected, he **or she** shall immediately report or cause a report to be made to the department.*

2. The report shall contain the name and address of the facility, the name of the resident, information regarding the nature of the abuse or neglect, the name of the complainant, and any other information which might be helpful in an investigation.

3. Any person required in subsection 1 of this section to report or cause a report to be made to the department who knowingly fails to make a report within a reasonable time after the act of abuse or neglect as required in this subsection is guilty of a class A misdemeanor.

*4. In addition to those persons required to report [under] **pursuant to** subsection 1 of this section, any other person having reasonable cause to believe that a resident has been abused or neglected may report such information to the department.*

*5. Upon receipt of a report, the department shall initiate an investigation within twenty-four hours and as soon as possible during the course of the investigation**, the department** shall notify the resident's next of kin or responsible party of the report and the investigation and further notify them whether the report was substantiated or unsubstantiated. **As provided pursuant to section 565.186, RSMo, substantiated reports of elder abuse shall be promptly reported by the department to the appropriate law enforcement agency and prosecutor.***

*6. If the investigation indicates possible abuse or neglect of a resident, the investigator shall refer the complaint together with his **or her** report to the department director or [his] **the director's** designee for appropriate action. If, during the investigation or at its completion, the department has reasonable cause to believe that immediate removal is necessary to protect the resident from abuse or neglect, the department or the local*

prosecuting attorney may, or the attorney general upon request of the department shall, file a petition for temporary care and protection of the resident in a circuit court of competent jurisdiction. The circuit court in which the petition is filed shall have equitable jurisdiction to issue an ex parte order granting the department authority for the temporary care and protection of the resident, for a period not to exceed thirty days.

7. Reports shall be confidential, as provided [under] ***pursuant to*** *section 660.320, RSMo.*

8. Anyone who makes a report pursuant to this section or who testifies in any administrative or judicial proceeding arising from the report shall be immune from any civil or criminal liability for making such a report or for testifying except for liability for perjury, unless such person acted in bad faith or with malicious purpose. ***The penalties provided pursuant to section 565.188, RSMo, shall be imposed on any person found guilty of purposely filing a false report of elder abuse or neglect.***

9. Within five working days after a report required to be made [under] ***pursuant to*** *this section is received, the person making the report shall be notified in writing of its receipt and of the initiation of the investigation.*

10. No person who directs or exercises any authority in a facility shall evict, harass, dismiss or retaliate against a resident or employee because he ***or she,*** *or any member of his* ***or her*** *family has made a report of any violation or suspected violation of laws, ordinances or regulations applying to the facility which [he]* ***the resident, the resident's family or an employee*** *has reasonable cause to believe has been committed or has occurred.* ***Through the existing division of aging information and referral telephone contact line, residents, their families and employees of the facility shall be able to obtain information about their rights, protections and options in cases of eviction, harassment, dismissal or retaliation due to a report being made pursuant to this section.***

11. Any person who knowingly abuses or neglects a resident of a facility shall be guilty of a class D felony.

12. The department shall maintain the employee disqualification list and place on the employee disqualification list the names of any persons who have been finally determined by the department pursuant to section 660.315, RSMo, to have recklessly, knowingly or purposely abused or neglected a resident while employed in any facility.

13. The timely self-reporting of incidents to the central registry by a facility shall continue to be investigated in accordance with department policy but shall not be counted or reported by the department as a hot line call, but rather a self-reported incident.

198.071. 1. Every current employee and new hire in every facility licensed pursuant to chapter 198 and those facilities in subdivision (3) of subsection 1 of section 198.012 covered by this section regardless of their physical proximity to any other health care facility, and every employee and new hire of every hospital licensed pursuant to chapter 197, RSMo, who could reasonably be expected to come in contact with residents from a chapter 198 facility shall be given an employee information packet on elderly abuse and neglect by the employer which is provided by the division of aging on the employee's and new hire's rights and responsibilities pursuant to section 198.070. The employee information packet on elderly abuse and neglect shall include an elderly abuse and neglect hot line card, information on abuse and neglect, an explanation of the possible criminal charges for not reporting abuse and neglect and for filing a false report, what steps to take before calling the hot line, an explanation of confidentiality, and the protections against retaliation.

2. Every facility licensed pursuant to chapter 198 and those in subdivision (3) of subsection 1 of section 198.012 covered by this section regardless of their physical proximity to any other health care facility shall give each facility volunteer, and each resident, and the resident's next of kin, legal guardian or designee a packet of information which includes a brochure provided by the division of aging on elderly abuse and neglect and an elderly abuse and neglect hot line card. This packet shall be given prior to or at the time of the resident's admission to the facility or before a volunteer begins working in the facility. The brochure shall be developed by the division of aging to inform residents, families and volunteers about what to look for, what steps to take before calling the hot line and why their reporting of abuse and neglect is important for the safety of all residents. The brochure shall also reassure individuals that a hot line call is confidential and provide information on the protections against retaliation.

3. The distribution of the material required by this section shall be verified by the department as part of the facility's regular inspection.

4. The department of health shall cooperate with the department of social services in the distribution of the material described in this section and shall require, check and cite for failure to distribute the material as it does with other required documents as part of the regular inspection of any hospital licensed pursuant to chapter 197, RSMo.

208.533. 1. There is hereby established a twenty-member "Commission on the Special Health, Psychological and Social Needs of Minority Older Individuals" under the division of aging. The commission shall consist of the following members:

(1) The directors of the departments of health, mental health and social services or their designees;

(2) The directors of the office of minority health and the division of aging who shall serve as co-chairs of the commission;

(3) Two members of the Missouri house of representatives, one from each major political party represented in the house of representatives, appointed by the speaker of the house who shall serve in a nonvoting, advisory capacity;

(4) Two members of the senate, one from each major political party represented in the senate, appointed by the president pro tem of the senate who shall serve in a nonvoting, advisory capacity;

(5) A representative of the office of the lieutenant governor who shall serve in a nonvoting, advisory capacity; and

(6) Ten individuals appointed by the governor with the advice and consent of the senate who are currently working in the field of minority elderly health, psychological or social problems who have demonstrated expertise in one or more of the following areas: treatment of cardiovascular, cancer and diabetic conditions; nutrition; community-based health services; legal services; elderly consumer advocacy; gerontology or geriatrics; social work and other related services including housing. At least two of the individuals appointed by the governor shall be minority older individuals. The members appointed by the governor shall be residents of Missouri. Any vacancy on the commission shall be filled in the same manner as the original appointment.

2. Members appointed by the governor shall serve for ***three-year*** *terms [which are limited to November 1, 1998]. Other members, except legislative members, shall serve for as long as they hold the position which made them eligible for appointment. Legislative members shall serve during their current term of office but may be reappointed.*

3. Members of the commission shall not be compensated for their services, but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties. The office of administration and the departments of health, mental health and social services shall provide such support as the commission requires to aid it in the performance of its duties.

208.535. [1.] The responsibilities of the commission shall include, but not be limited to, the following:

(1) The commission shall annually prepare a report identifying the special needs of the minority older population in Missouri as compared to the older population at-large and make recommendations for meeting those needs. The report shall be completed no later than October first of each year, beginning in 1995, and copies transmitted to the governor, the general assembly and appropriate state agencies. The report shall, at a minimum:

(a) Contain an overview of the special health, psychological and social needs of minority older Missourians with particular attention to low-income minority older individuals;

(b) Identify specific diseases and health conditions for which minority older individuals are at greater risk than the general population;

(c) Identify problems experienced by minority older individuals in obtaining services from governmental agencies;

(d) Identify programs at the state and local level designed to specifically meet the needs of minority older individuals; and

(e) Recommend program improvements and services at the state and local level designed to address the special unmet needs of the minority older population;

(2) In preparing the report required by this section, the commission shall solicit and consider the input of individuals and organizations representing the concerns of the minority older population, with particular attention to the service needs of those with incomes below the federal poverty level, concerning:

(a) Programs and services needed by minority older individuals;

(b) The extent to which existing programs do not meet the needs of minority older individuals;

(c) The accessibility of existing programs to minority older individuals;

(d) The availability and adequacy of information regarding existing services;

(e) Health problems that minority older individuals experience at a higher rate than the nonminority older population; and

(f) Financial, social and other barriers experienced by minority older individuals in obtaining needed services;

(3) Conduct an outreach program that provides information to minority older Missourians about health, psychological and social problems experienced by minority older individuals and available programs to address those problems, as identified in the report prepared pursuant to this section.

[2. Sections 208.530 to 208.535 shall expire November 1, 1998.]

660.099. 1. The general assembly may appropriate funds in addition to the amount currently being provided per annum for nutrition services for the elderly. Funds so designated to provide nutrition services for the elderly shall be allocated to the Missouri division of aging [to be placed on the formula basis and distributed to each area agency on aging throughout the state of Missouri].

2. The general assembly may appropriate funds in addition to the amount currently being provided per annum through the Missouri elderly and handicapped transportation program. Funds so designated to provide transportation for the elderly and developmentally disabled shall be allocated to the Missouri division of aging [to be placed on the formula basis and distributed to each area agency on aging throughout the state of Missouri].

3. The general assembly may appropriate funds in addition to the amount currently being provided per annum for home-delivered meals for the elderly. Such additional funds shall be allocated to the Missouri division of aging [to be placed on the formula basis and distributed to each area agency on aging throughout the state of Missouri].

Section 1. 1. The department of public safety shall develop or have developed a comprehensive employee information system that may be computer based and shall merge existing employee disqualification lists, substantiated cases of elder abuse pursuant to section 565.186, RSMo, the child protection system central registry disclosed pursuant to chapter 210, RSMo, and information from the highway patrol's criminal background check system, including state and national information to the extent available. In addition, the information system shall include licensure, certification and state contract status for individuals requiring such in the field of health care, education including higher education, care for children including foster care licensure, care for the elderly and care for persons with physical or mental disabilities. For purposes of this section, the term "department" means the department of public safety.

2. Notwithstanding any provision of law to the contrary, the following shall cooperate fully with the department in developing, updating, providing and releasing the information for this comprehensive employee information system:

(1) The Missouri highway patrol;

(2) All state agencies that provide or deal with providers of health care, education, care for children, care for the elderly, care for persons with a physical or mental disability;

(3) All state agencies that investigate charges of neglect and abuse of children, the elderly or persons with a physical or mental disability;

(4) All state agencies that compile an employee disqualification list for workers in the field of health care, education, care for children, care for the elderly, care for persons with a physical or mental disability;

(5) All state agencies that license or certify health care workers, educators, persons working with children, persons who care for the elderly, persons who care for persons with physical or mental disabilities.

3. The data in the comprehensive employee information system shall be available to:

(1) All employers, including state agencies, or voluntary providers in the field of health, education, care for children, and care and services for the elderly and persons with physical or mental disabilities, including congregate living facilities;

(2) All employers or voluntary providers whose employees or volunteers may have access to private homes or who may be left alone with children, the elderly, or persons with physical or mental disabilities;

(3) Adoption agencies;

(4) Individuals who wish to hire persons who come into their home or hire persons who have access to their home, children or dependents, the elderly, or persons with physical or mental disabilities;

(5) Individuals wishing information on their own personal status in the comprehensive employee information system.

4. The comprehensive employee information system shall be accessible in person, by mail, by facsimile and through telecommunications networks that are able to meet the release requirements in subsection 7 of this section.

5. A reasonable fee may be charged for accessing the comprehensive employee information system.

6. In developing and updating the comprehensive employee information system, the department shall incorporate applicable information from other states to the best of their ability.

7. The department, in consultation with the agencies in subsection 2 of this section providing information for the system, shall develop reasonable rules and procedures for making information easily accessible for the protection of the public while also protecting the rights of those persons in the system, including a signed release from the individual giving permission for the background check and release of such information

pursuant to subsections 1 and 2 of this section. Such signed release form shall include information explaining the types of specific information which may be released pursuant to subsections 1 and 2 of this section. There shall be frequent public notification of the availability of the comprehensive employee information system and the release forms shall be readily available statewide.

8. All in-person inquiries that meet the requirements of subsection 7 of this section shall be completed and returned by the department within six business hours of such inquiry. All other requests shall be completed and returned within three business days of their delivery to the department.

9. Any provider required to request a background check pursuant to section 660.317, RSMo, who requests information through the comprehensive employee information system shall be deemed as having satisfied the background check requirements of section 660.317, RSMo.

10. Any person accessing information in the comprehensive employee information system, other than authorized personnel, without the permission of the person being checked is guilty of a class C misdemeanor.

11. The comprehensive employee information system shall be in operation by December 31, 1999.

12. Nothing in this section shall be interpreted as requiring any state agency, provider or employer to utilize the comprehensive employee information system. Nothing in this section shall be interpreted as requiring any individual to submit to a background check through the comprehensive employee information system.

13. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

Section 2. 1. In order to encourage and support families who provide the primary long-term care for an elderly person, the department of social services shall establish the "shared care program".

2. As used in this section, the following terms shall mean:

(1) "Director", the director of the division of aging of the Missouri department of social services;

(2) "Division", the division of aging of the Missouri department of social services;

(3) "Elderly" or "elderly persons", persons who are sixty years of age or older;

(4) "Elderly dependent", a person who is sixty years of age or older who requires assistance with activities of daily living to the degree that the elderly dependent is unable to live alone as determined and certified by his or her physician licensed pursuant to the provisions of chapter 334, RSMo, or by the division of aging staff when an assessment has been completed for the purpose of qualification for other services, and is living with a registered care giver and, under no circumstances, able or allowed to operate a motor vehicle;

(5) "Registered care giver", a shared care member living in the same residence with and caring for an elderly person without monetary compensation;

(6) "Shared care", a program administered by the division of aging in which Missouri families who provide primary long-term care for an elderly person and register as a shared care member with the division of aging shall receive access to certain supportive services and may receive a state tax credit;

(7) "Shared care community project", a project in a community that offers to help support shared care participation through development of programs;

(8) "Shared care provider", any state authorized long-term care provider in the state, including, but not limited to, in-home, home health, hospice, adult day care, residential care facility I or II, or nursing home, who voluntarily registers with the division of aging to be available as a resource for the shared care program;

(9) "Shared care tax credit", a tax credit to registered care givers who meet the requirements of section 3 of this act.

3. The goals of the shared care program shall be as follows:

(1) To provide services and support for families caring for an elderly person;

(2) To increase awareness of the variety of privately funded services which may be available to those persons caring for an elderly person;

(3) To increase awareness of the variety of government services which may be available to those caring for an elderly person;

(4) Recognition on an annual basis by the governor for those families participating in the shared care program and community project groups participating in the shared care program;

(5) To provide a tax credit to members who meet the qualifications pursuant to section 3 of this act; and

(6) To promote community involvement by:

(a) Providing local communities information about the shared care program and to encourage the establishment of support groups where none are available and to support existing support groups, and other programs for shared care members and providers to share ideas, information and resources on caring for an elderly person; and

(b) Encouraging local home care, adult day care or other long term care providers, who have regularly scheduled training sessions for paid care givers, to voluntarily invite shared care members to participate in education and training sessions at no cost to the family. Such providers shall not be held liable in any civil or criminal action related to or arising out of the participation or training of shared care members in such sessions.

4. To further the goals of the shared care program, the director shall:

(1) Promulgate specific rules and procedures, in accordance with section 536.024, RSMo, for the shared care program;

(2) Maintain a registry of names and addresses of shared care members and shared care providers;

(3) Compile a list, updated annually, of public and private resources, services and programs which may be available to assist and support the registered care giver with caring for the elderly. Such list shall be given to shared care members along with information on shared care providers in their community. Private organizations and providers shall be responsible for providing information to the division of aging for inclusion on the list. The division of aging shall establish reporting procedures for private organizations and publicly disseminate the division's guidelines statewide;

(4) Compile and distribute to shared care members information about the services and benefits of the shared care program and a bibliography of resources and materials with information helpful to such members. The bibliography will give members an overview of available information and is not required to be comprehensive;

(5) Encourage shared care providers, consumer groups, churches and other philanthropic organizations to help local communities develop local support systems where none are available and to support existing support groups for persons caring for elderly persons and make division staff available, if possible;

(6) In conjunction with the director of revenue, develop a physician certification for shared care tax credit form to be given to registered care givers upon request. The form shall require, but is not limited to:

(a) Identifying information about the registered care giver certifying that he or she qualifies for the shared care tax credit as provided in section 3 of this act, and under no circumstances is his or her elderly dependent able or allowed to operate a motor vehicle;

(b) Identifying information about and the signature of the elderly dependent for verification purposes;

(c) Identifying information about and the signature of the physician licensed pursuant to the provisions of chapter 334, RSMo, for verification and certification purposes;

(d) An explanation by such physician of the conditions or circumstances that prevents the elderly dependent from living alone; and

(e) A complete explanation of the shared care tax credit and its guidelines and directions on completion of the form and how to file for the shared care tax credit with the department of revenue; and

(7) In conjunction with the director of revenue, develop a division of aging certification for shared care tax credit form to be given at the request of the registered care givers when a division of aging assessment has been completed for other purposes. The form shall require, but is not limited to:

(a) Identifying information about the registered care giver for tax purposes, and the signature of the registered care giver certifying that he or she qualifies for the shared care tax credit as provided in section 3 of this act, and under no circumstances is his or her elderly dependent able or allowed to operate a motor vehicle;

(b) Identifying information about and the signature of the elderly dependent for verification purposes;

(c) Identifying information about and the signature of the division of aging staff for verification and certification purposes;

(d) An explanation by the division of aging staff of the conditions or circumstances that prevents the elderly dependent from living alone; and

(e) A complete explanation of the shared care tax credit and its guidelines and directions on completion of the form and how to file for the shared care tax credit with the department of revenue.

3. Funds appropriated for the shared care program shall be appropriated to and administered by the department of social services.

Section 3. 1. Any registered care giver who meets the requirements of this section shall be eligible for a shared care tax credit in an amount not to exceed five hundred dollars to defray the cost of caring for an elderly

dependent. The following persons shall be eligible for a shared care tax credit:

(1) A registered care giver who files the original completed and signed physician certification for shared care tax credit form or the original, completed and signed division of aging certification for shared care tax credit form provided for in subsection 3 of section 2 of this act along with such care giver's Missouri individual income tax return; and

(2) A registered care giver who cares for an elderly dependent shared care member living in the same residence with the registered care giver for an aggregate of more than six months per tax year.

2. The tax credit permitted pursuant to this section shall be claimed by a registered care giver at the time the income tax return is filed, but in no event shall such tax credit exceed the amount of the registered care giver's tax liability for the year such tax credit is claimed.

3. The tax credit allowed by this section shall only be claimed by participating members of the shared care program who satisfy program eligibility rules established pursuant to the rulemaking authority of section 2 of this act, and whose elderly dependent is not receiving services authorized by the division of aging funded by Medicaid or the Social Services Block Grant.

4. The tax credit allowed by this section shall apply to any year beginning after December 31, 1998.

5. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

6. Any person who knowingly falsifies any document required for the shared care tax credit shall be subject to the same penalties for falsifying other tax documents as provided in chapter 143, RSMo.*".*

Senate Substitute Amendment No. 1

for

Senate Committee Amendment No. 2

AMEND House Bill No. 1136, Page 3, Section 198.029, Line 16, by inserting after all of said line the following:

*"**Section 1. 1. The division of aging may establish a pilot project to provide the elderly who suffer from Alzheimer's disease or dementia with enhanced and specialized care by allowing no more than six Alzheimer or dementia care facilities to be developed.***

2. The division of aging may establish a pilot project to provide the elderly with an aging in place concept by allowing no more than four facilities to be developed.

3. Such facilities described in subsections 1 and 2 of this section shall:

(1) Be developed in conjunction with, and work collaboratively with the school of medicine or school of nursing affiliated with a Missouri institution of higher education; and

(2) As a minimum, comply with all life safety codes and comply with staffing patterns as determined by an agreement between the division of aging, participating medical school or school of nursing and such facility administrator. However, in no case may the requirements be less than such requirements required for facilities defined in section 198.006, RSMo. Such agreement shall address:

(a) Physical design of the facility to enhance the care of the elderly to be served;

(b) Staffing patterns;

(c) Admission criteria;

(d) Assessment and monitoring of the residents;

(e) Education of staff employed by the facility; and

(f) Program development.

Section 2. Three of the six facilities described in subsection 1 of section 1 of this act, and two of the four facilities described in subsection 2 of section 1 of this act for these pilot projects shall be facilities currently licensed pursuant to chapter 198, RSMo, and the remaining facilities shall be newly constructed after the division of aging grants approval as a pilot project pursuant to this section.

Section 3. Such facilities described in subsections 1 and 2 of section 1 of this act shall be exempt from the provisions of sections 197.300 to 197.366, RSMo.

Section 4. The division of aging, participating facilities and the school of medicine or school of nursing shall complete a report by August 31, 2002, on the pilot project for the newly constructed facilities and by August 31, 2000, for the existing facilities participating in these projects.

Section 5. No rule or portion of a rule promulgated pursuant to the authority of this act shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.*"; and*

Further amend title and enacting clause accordingly.

Senate Substitute Amendment No. 1

for

Senate Committee Amendment No. 3

*AMEND House Bill No. 1136, Page 1040, Senate Journal 5/6/98, Column 2, Lines 7-8, by striking "July 1, [1999] 2001" and inserting in lieu thereof the following: "**April 30, 2000**"; and further amend line 14 of said column, by striking the opening bracket "[" and the closing bracket "]" from said line; and further amend said line, by striking "2002".*

In which the concurrence of the House is respectfully requested.

THIRD READING OF SENATE BILLS

SB 925*, relating to firefighters' retirement system, was placed on the Informal Calendar.*

HCS SS SCS SB 754*, relating to medical services, was taken up by Representative Carter.*

*Representative Carter moved that **HCS SS SCS SB 754** be adopted.*

Which motion was defeated.

*On motion of Representative Carter, **SS SCS SB 754** was truly agreed to and finally passed by the following vote:*

AYES: 141

Akin Alter Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Daniels 41

Davis 122 Days DeMarce Dolan Donovan

Dougherty Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Froelker Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Griesheimer Gross

Gunn Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Hegeman Hendrickson Hickey Hilgemann Holand
Hollingsworth Hoppe Hosmer Howerton Johnson
Kasten Kauffman Kelley 47 Kennedy Kissell
Klindt Koller Kreider Lakin Leake
Legan Levin Lograsso Long Loudon
Luetkenhaus Marble May 108 Mays 50 McBride
McClelland McLuckie Merideth Miller Monaco
Murphy Murray Naeger Nordwald O'Connor
O'Toole Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Ridgeway Rizzo Robirds
Ross Sallee Scheve Schilling Schwab
Scott Secrest Seigfreid Sheldon 104 Shields
Skaggs Smith Steen Stokan Stoll
Stroker Summers Surface Thompson 37 Thompson 72
Townley Treadway Troupe Van Zandt Vogel
Wannenmacher Wiggins Williams 159 Wilson Wooten
Mr. Speaker

NOES: 002

Crawford Hohulin

PRESENT: 001

Auer

ABSENT WITH LEAVE: 018

Bauer Copeland Crump Daniel 42 Davis 63
Fritts Green Hall Heckemeyer Kelly 27
Lawson Liese Linton Ostmann Shear
Shelton 57 Thomason 163 Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Harlan, title to the bill was agreed to.

Representative Hosmer moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1038**, entitled:*

An act to amend chapter 386, RSMo, relating to certain merchandising practices of utilities by adding thereto five new sections relating to the same subject, with penalty provisions.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1038, Page 2, Section 386.754, Lines 3 & 4, by striking the following:

", or any other entity providing regulated gas or electric service in another state".

In which the concurrence of the House is respectfully requested.

*Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant conference on **SS HCS HB 1197 as amended**, and request the House to take up and pass the bill.*

HOUSE BILL WITH SENATE AMENDMENTS

***SCS HB 1352 as amended**, relating to planning and zoning, was taken up by Representative Rizzo.*

*On motion of Representative Rizzo, **SCS HB 1352 as amended**, was adopted by the following vote:*

AYES: 124

Akin Alter Auer Backer Barnett

Barry 100 Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crump Daniels 41

Davis 122 Days DeMarce Dolan Dougherty

Edwards-Pavia Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Gaskill

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hartzler 123 Hartzler 124

Hegeman Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kennedy Kissell Klindt

Koller Lakin Leake Legan Levin

Linton Long Luetkenhaus May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Overschmidt Parker Patek

Pouche Ransdall Reinhart Relford Reynolds

Richardson Rizzo Robirds Ross Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Skaggs Stokan Stoll

Stroker Summers Surface Thompson 37 Thompson 72

Treadway Troupe Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 012

Ballard Bartelsmeyer Boatright Crawford Froelker

Gaston Gibbons Hendrickson Lograsso Loudon

Marble Purgason

PRESENT: 000

ABSENT WITH LEAVE: 026

Copeland Daniel 42 Davis 63 Donovan Elliott

Fritts Hall Harlan Heckemeyer Hohulin

Kelly 27 Kreider Lawson Liese Ostmann

Pryor Ridgeway Sallee Shear Shields

Smith Steen Thomason 163 Townley Van Zandt

Vogel

VACANCIES: 001

On motion of Representative Rizzo, ***SCS HB 1352 as amended****, was truly agreed to and finally passed by the following vote:*

AYES: 133

Akin Alter Auer Backer Barnett

Barry 100 Bartlett Bauer Bennett Berkstresser

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Cooper Crump Daniels 41 Davis 122

Days DeMarce Dolan Donovan Dougherty

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Gaskill

Graham 106 Graham 24 Gratz Green Griesheimer

Gross Gunn Hagan-Harrell Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hickey Hilgemann Holand

Hollingsworth Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelley 47 Kelly 27 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Levin Linton

Long Luetkenhaus May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Overschmidt Parker Patek Pouche

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 014

Ballard Bartelsmeyer Boatright Crawford Edwards-Pavia

Froelker Gaston Gibbons Hendrickson Lograsso

Loudon Marble Purgason Townley

PRESENT: 000

ABSENT WITH LEAVE: 015

Clayton Copeland Daniel 42 Davis 63 Fritts

Hall Harlan Hohulin Liese Ostmann

Pryor Sallee Shear Shelton 57 Thomason 163

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Parker moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

RECONSIDERATION

HCS SB 629, with HS, as amended, pending*, relating to community improvement, was again taken up by Representative Green.*

Representative Green, having voted on the prevailing side, moved that the vote by which ***House Amendment No. 2 to HS HCS SB 629, as amended,*** *was adopted, be reconsidered.*

Which motion was adopted by the following vote:

AYES: 142

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Cooper Crawford

Daniels 41 Davis 122 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Farnen Fitzwater Foley Ford Foster

Franklin Gaskill Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Overschmidt Parker

Patek Pouche Pryor Purgason Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shields Skaggs Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten

NOES: 003

Evans Gaston Gibbons

PRESENT: 001

Froelker

ABSENT WITH LEAVE: 016

Bauer Clayton Copeland Crump Daniel 42

Davis 63 Fritts Hall Harlan Liese

Ostmann Sallee Shear Shelton 57 Thompson 37

Mr. Speaker

VACANCIES: 001

House Amendment No. 2 was withdrawn.

Representative Hoppe offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 629, Page 1, In the Title, Line 2, by inserting after the word "repeal" the following: "section 141.750, RSMo 1994 and"; and

Further amend said bill, Page 1, In the Title, Line 8, by inserting after the word "assembly" the following: "and section 50.150 as it appears in senate committee substitute for house bill no. 1734, as truly agreed and finally passed in the second regular session of the eighty-ninth general assembly"; and

Further amend said bill, Page 1, In the Title, Line 9, by deleting the word "twenty-five" and inserting in lieu thereof the word "twenty-four"; and

Further amend said bill, Page 1, Section A, Line 13, by deleting the word "Sections" and inserting in lieu thereof the following: "Section 141.750, RSMo 1994, and sections"; and

Further amend said bill, Page 1, Section A, Line 17, by inserting after the word "assembly" the following: "and section 50.150 as it appears in senate committee substitute for house bill no. 1734, as truly agreed and finally passed in the second regular session of the eighty-ninth general assembly" and further amend said line, by deleting the word "twenty-five" and inserting in lieu thereof the word "twenty-four"; and

Further amend said bill, Page 1, Section A, Line 18, by inserting after the word "sections" the number "50.1500,"; and

Further amend said bill, Page 2, Section A, Line 1, by deleting the following: "67.1663, 1, 2, and 3"; and inserting in lieu thereof the following: "67.163 and 141.750,"; and

Further amend said bill, Page 2, Section A, Line 2, by inserting after all of said line the following:

"50.1500. 1. The governing body of any county, excluding township counties, may by ordinance or order

provide for the payment of all or any part of current real and personal property taxes which are owed, at the option of the taxpayer, on an annual, semiannual or quarterly basis at such times as determined by such governing body.

2. The ordinance shall provide the method by which the amount of property taxes owed for the current tax year in which the payments are to be made shall be estimated. The collector shall submit to the governing body the procedures by which taxes will be collected pursuant to the ordinance or order. The estimate shall be based on the previous tax year's liability. A taxpayer's payment schedule shall be based on the estimate divided by the number of pay periods in which payments are to be made. The taxpayer shall at the end of the tax year pay any amounts owed in excess of the estimate for such year. The county shall at the end of the tax year refund to the taxpayer any amounts paid in excess of the property tax owed for such year. No interest shall be paid by the county on excess amounts owed to the taxpayer. Any refund paid the taxpayer pursuant to this subsection shall be an amount paid by the county only once in a calendar year.

3. If a taxpayer fails to make an installment payment of a portion of the real or personal property taxes owed to the county, then such county may charge the taxpayer interest ***and penalties*** *on the [entire]* ***remaining*** *amount of such property taxes owed for that year.*

4. Any governing body enacting the ordinance or order specified in this section shall first agree to provide the county collector with reasonable and necessary funds to implement the ordinance or order.;" and

Further amend said bill, Pages 37 to 48, Sections 1, 2 and 3, by deleting all of said sections and inserting in lieu thereof the following:

"141.750. 1. Such land trust shall be a continuing body and shall have and adopt an official seal which shall bear on its face the words "Land Trust of ..... County, Missouri", "Seal", and shall have the power to sue and issue deeds in its name, which deed shall be signed by the chairman or vice chairman, and attested by the secretary or assistant secretary and the official seal of the land trust affixed thereon, and shall have the general power to administer its business as any other corporate body.

2. The land trust may convey title to any real estate sold or conveyed by it by general or special warranty deed, and may convey an absolute title in fee simple, without in any case procuring any consent, conveyance or other instrument from the beneficiaries for which it acts[;] ***.*** *Provided, however, that each such deed shall recite whether the selling price represents a consideration equal to or in excess of two-thirds of the appraised value of such real estate so sold or conveyed, and if such selling price represents a consideration less than two-thirds of the appraised value of [said]* ***such*** *real estate, then the land trustees shall first procure the consent thereto of not less than two of the three appointing authorities, which consent shall be evidenced by a copy of the action of each such appointing authority duly certified to by its clerk or secretary attached to and made a part of [said]* ***such*** *deed.* ***The land trustees shall have to procure one of the three appointing authorities if the land trust conveys such property to any Missouri not for profit organization whose primary purpose is the provision or enhancement of housing opportunities in its community.****".*

On motion of Representative Hoppe, House Amendment No. 2 was adopted.

Representative Hoppe offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 629, Page 48, Section 18, Lines 4-8, by deleting all of said lines; and

further amend the title and enacting clause accordingly.

On motion of Representative Hoppe, House Amendment No. 4 was adopted.

On motion of Representative Green, ***HS HCS SB 629, as amended,*** *was adopted.*

On motion of Representative Green, ***HS HCS SB 629, as amended,*** *was read the third time and passed by the following vote:*

AYES: 139

Akin Alter Auer Backer Barnett

Barry 100 Bartlett Bauer Bennett Bland

Bonner Boucher Bray 84 Broach Burton

Campbell Carter Champion Chrismer Cierpiot

Cooper Crawford Crump Daniels 41 Davis 122

Days DeMarce Dolan Donovan Dougherty

Edwards-Pavia Elliott Enz Evans Farnen

Fitzwater Foley Ford Foster Franklin

Gaskill Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Levin Linton Lograsso Long

Loudon Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Relford

Reynolds Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Sheldon 104 Shields Skaggs

Smith Steen Stokan Stoll Stroker

Summers Surface Thompson 37 Thompson 72 Treadway

Troupe Vogel Wannenmacher Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 008

Ballard Bartelsmeyer Berkstresser Boatright Gaston

Gibbons Reinhart Townley

PRESENT: 000

ABSENT WITH LEAVE: 015

Clayton Copeland Daniel 42 Davis 63 Fritts

Froelker Hall Legan Liese Ostmann

Richardson Shear Shelton 57 Thomason 163 Van Zandt

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILL WITH SENATE AMENDMENT

***HB 1274, with Senate Amendment No. 2**, relating to Head Start programs, was taken up by Representative Farnen.*

On motion of Representative Farnen, the House concurred in Senate Amendment No. 2 by the following vote:

AYES: 139

Alter Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bennett Berkstresser
Bland Boatright Bonner Boucher Bray 84
Broach Burton Campbell Carter Champion
Chrismer Cierpiot Cooper Crawford Crump
Daniels 41 Davis 122 Days DeMarce Dolan
Donovan Dougherty Edwards-Pavia Elliott Enz
Evans Farnen Fitzwater Foley Ford
Foster Franklin Gaskill Gaston Gibbons
Graham 106 Graham 24 Gratz Griesheimer Gunn
Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hendrickson Hickey Hilgemann Hohulin
Holand Hollingsworth Hoppe Hosmer Howerton
Johnson Kasten Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lakin Lawson Leake Levin Liese
Linton Long Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Murray Naeger Nordwald O'Connor
O'Toole Overschmidt Parker Patek Pouche
Pryor Purgason Ransdall Reinhart Relford
Reynolds Richardson Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Scott

Secrest Seigfreid Shelton 57 Shields Skaggs

Smith Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wiggins Williams 121

Williams 159 Wilson Wooten Mr. Speaker

NOES: 006

Akin Froelker Gross Lograsso Loudon

Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 017

Bauer Clayton Copeland Daniel 42 Davis 63

Fritts Green Hall Legan Monaco

Murphy Ostmann Shear Sheldon 104 Steen

Thompson 37 Wannenmacher

VACANCIES: 001

On motion of Representative Farnen, ***HB 1274, as amended,*** *was truly agreed to and finally passed by the following vote:*

AYES: 143

Alter Auer Backer Ballard Barnett

Barry 100 Bartelsmeyer Bartlett Bennett Berkstresser

Bland Boatright Bonner Boucher Bray 84

Broach Burton Campbell Carter Champion

Chrismer Cierpiot Cooper Crawford Crump

Daniels 41 Davis 122 Days DeMarce Dolan

Donovan Edwards-Pavia Elliott Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Froelker Gaston Gibbons Graham 106

Graham 24 Gratz Griesheimer Gunn Hagan-Harrell

Harlan Hartzler 123 Hartzler 124 Heckemeyer Hegeman

Hendrickson Hickey Hilgemann Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Lograsso

Long Luetkenhaus Marble May 108 Mays 50

McBride McClelland McLuckie Merideth Miller

Monaco Murphy Murray Naeger Nordwald

O'Connor O'Toole Overschmidt Parker Patek

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 007

Akin Gross Hohulin Linton Loudon

Ridgeway Skaggs

PRESENT: 000

ABSENT WITH LEAVE: 012

Bauer Clayton Copeland Daniel 42 Davis 63

Dougherty Fritts Gaskill Green Hall

Ostmann Shear

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Parker, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Hilgemann moved that motion lay on the table.

The latter motion prevailed.

CONFERENCE COMMITTEE REPORT

ON

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 936

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Committee Substitute for Senate Bill No. 936, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Substitute Amendment No. 1 for House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, House Amendment No. 10, House Substitute Amendment No. 1 for House Amendment No. 11, House Amendment No. 12, House Amendment No. 13, House Amendment No. 14, House Amendment No. 15, House Amendment No. 16, House Amendment No. 17, House Amendment No. 18, House Amendment No. 19 and House Amendment No. 21; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 936, as amended;

2. That the Senate recede from its position on Senate Bill No. 936;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 936 be truly agreed to and finally passed.

FOR THE HOUSE: FOR THE SENATE:

/s/ Joan Bray /s/ Ed Quick

/s/ Tim VanZandt /s/ Harry Wiggins

/s/ Michael R. Gibbons /s/ Franc Flotron

/s/ Daniel J. Hegeman /s/ John T. Russell

BILL IN CONFERENCE

CCR HCS SB 936, as amended*, relating to sales and use tax, was taken up by Representative Bray.*

On motion of Representative Bray, Rule 60(b) was suspended and ***CCR HCS SB 936, as amended****, was adopted by the following vote:*

AYES: 146

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniels 41 Davis 122 Days

DeMarce Dolan Donovan Dougherty Edwards-Pavia

Elliott Enz Evans Farnen Fitzwater

Foley Ford Foster Franklin Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Griesheimer Gross Gunn Hagan-Harrell

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Overschmidt Parker

Pouche Pryor Purgason Ransdall Reinhart

Relford Reynolds Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Skaggs Smith Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wiggins Williams 121 Williams 159 Wooten

Mr. Speaker

NOES: 005

Harlan Patek Schilling Wannenmacher Wilson

PRESENT: 000

ABSENT WITH LEAVE: 011

Bauer Copeland Daniel 42 Davis 63 Fritts

Green Hall Hartzler 123 Ostmann Shear

Steen

VACANCIES: 001

On motion of Representative Bray, ***CCS HCS SB 936,*** *was truly agreed to and finally passed by the following vote:*

AYES: 141

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Boucher Broach Burton Campbell Champion

Chrismer Cierpiot Cooper Crawford Crump

Daniels 41 Davis 122 Days DeMarce Dolan

Donovan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Ford

Foster Franklin Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Green

Griesheimer Gross Gunn Hagan-Harrell Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Johnson Kasten Kauffman Kelley 47 Kennedy

Kissell Klindt Koller Kreider Lakin

Lawson Leake Legan Liese Linton

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Naeger Nordwald

O'Connor O'Toole Parker Patek Pouche

Pryor Purgason Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schwab Scott

Secrest Seigfreid Sheldon 104 Shelton 57 Shields

Skaggs Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Mr. Speaker

NOES: 003

Harlan Schilling Wilson

PRESENT: 000

ABSENT WITH LEAVE: 018

Bray 84 Carter Clayton Copeland Daniel 42

Davis 63 Fritts Hall Hartzler 123 Howerton

Kelly 27 Levin Lograsso Murray Ostmann

Overschmidt Shear Wooten

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Carter, title to the bill was agreed to.

Representative Crump moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 1038, as amended*, relating to utility merchandising practices, was taken up by Representative Carter.*

On motion of Representative Carter, ***SS SCS HCS HB 1038, as amended,*** *was adopted by the following vote:*

AYES: 131

Auer Backer Ballard Barry 100 Bartelsmeyer
Bartlett Bauer Bennett Berkstresser Bland
Boatright Bonner Boucher Bray 84 Broach
Burton Campbell Carter Champion Chrismer
Cierpiot Cooper Crawford Crump Daniels 41
Davis 122 Days DeMarce Dolan Donovan
Dougherty Edwards-Pavia Elliott Enz Farnen
Fitzwater Foley Ford Foster Franklin
Gaskill Gaston Gibbons Graham 106 Graham 24
Gratz Green Griesheimer Gross Hagan-Harrell
Harlan Hartzler 124 Heckemeyer Hickey Hilgemann
Hohulin Holand Hollingsworth Hoppe Hosmer
Howerton Johnson Kauffman Kelley 47 Kelly 27
Kennedy Kissell Klindt Koller Kreider
Lawson Leake Legan Levin Linton
Long Loudon Luetkenhaus Marble May 108
Mays 50 McBride McClelland McLuckie Merideth
Miller Monaco Murphy Murray O'Connor
O'Toole Overschmidt Parker Patek Pryor
Ransdall Reinhart Relford Reynolds Richardson
Rizzo Ross Sallee Scheve Schilling
Schwab Secrest Seigfreid Sheldon 104 Shelton 57
Shields Skaggs Smith Steen Stokan
Stoll Stroker Summers Surface Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Williams 121 Williams 159 Wilson

Mr. Speaker

NOES: 007

Froelker Hartzler 123 Hegeman Nordwald Pouche

Ridgeway Robirds

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 023

Akin Alter Barnett Clayton Copeland

Daniel 42 Davis 63 Evans Fritts Gunn

Hall Kasten Lakin Liese Lograsso

Naeger Ostmann Purgason Scott Shear

Thomason 163 Wiggins Wooten

VACANCIES: 001

On motion of Representative Carter, ***SS SCS HCS HB 1038, as amended,*** *was truly agreed to and finally passed by the following vote:*

AYES: 141

Akin Alter Auer Backer Ballard

Barry 100 Bartelsmeyer Bartlett Bauer Bennett

Berkstresser Bland Boatright Bonner Boucher

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Cooper Copeland

Crawford Daniels 41 Davis 122 Days DeMarce

Dolan Donovan Dougherty Edwards-Pavia Elliott

Enz Evans Farnen Fitzwater Foley

Ford Foster Franklin Froelker Gaskill

Gaston Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gross Gunn Hagan-Harrell

Harlan Hartzler 124 Heckemeyer Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger O'Connor O'Toole

Overschmidt Parker Patek Pryor Purgason

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Ross Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Skaggs Smith Steen

Stokan Stoll Stroker Summers Surface

Thompson 37 Thompson 72 Treadway Troupe Vogel

Wannenmacher Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 008

Clayton Hartzler 123 Hegeman Nordwald Pouche

Robirds Sallee Townley

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 012

Barnett Crump Daniel 42 Davis 63 Fritts

Hall Lograsso Ostmann Shear Thomason 163

Van Zandt Wiggins

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hosmer, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

***SCS HS HCS HBs 977 & 1608, as amended**, relating to abatement of property, was taken up by Representative Bauer.*

*On motion of Representative Bauer, **SCS HS HCS HBs 977 & 1608, as amended,** was adopted by the following vote:*

AYES: 114

Auer Backer Barry 100 Bartlett Bauer
Bland Bonner Boucher Bray 84 Broach
Burton Campbell Carter Cierpiot Clayton
Copeland Crump Daniels 41 Davis 122 Days
DeMarce Dolan Donovan Dougherty Elliott
Enz Evans Farnen Fitzwater Foley
Ford Foster Franklin Gaskill Graham 106
Graham 24 Gratz Green Griesheimer Gunn
Hagan-Harrell Harlan Hartzler 124 Heckemeyer Hickey
Hilgemann Holand Hoppe Hosmer Howerton
Johnson Kauffman Kelley 47 Kelly 27 Kennedy
Kissell Klindt Koller Lawson Leake
Legan Levin Liese Long Loudon
Luetkenhaus May 108 Mays 50 McBride McClelland
McLuckie Merideth Miller Monaco Murphy
Murray Naeger Nordwald O'Connor O'Toole
Overschmidt Parker Ransdall Relford Reynolds
Richardson Ridgeway Rizzo Robirds Ross
Scheve Schilling Schwab Scott Seigfreid
Sheldon 104 Shelton 57 Skaggs Smith Stokan
Stoll Stroker Thomason 163 Thompson 37 Thompson 72
Treadway Troupe Van Zandt Wiggins Williams 121
Williams 159 Wilson Wooten Mr. Speaker

NOES: 039

Akin Alter Ballard Barnett Bartelsmeyer
Bennett Berkstresser Boatright Champion Chrismer
Cooper Crawford Edwards-Pavia Froelker Gaston
Gibbons Gross Hartzler 123 Hegeman Hendrickson
Hohulin Kasten Linton Lograsso Marble
Patek Pouche Pryor Purgason Reinhart
Sallee Secrest Shields Steen Summers
Surface Townley Vogel Wannenmacher

PRESENT: 000

ABSENT WITH LEAVE: 009

Daniel 42 Davis 63 Fritts Hall Hollingsworth

Kreider Lakin Ostmann Shear

VACANCIES: 001

On motion of Representative Bauer, ***SCS HS HCS HBs 977 & 1608, as amended,*** *was truly agreed to and finally passed by the following vote:*

AYES: 117

Alter Auer Barry 100 Bartlett Bauer

Bland Bonner Boucher Bray 84 Broach

Burton Campbell Cierpiot Clayton Copeland

Crump Daniels 41 Davis 122 Days DeMarce

Dolan Donovan Dougherty Enz Evans

Farnen Fitzwater Foley Ford Foster

Franklin Gibbons Graham 106 Graham 24 Gratz

Green Griesheimer Gunn Hagan-Harrell Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hickey Hilgemann

Holand Hoppe Hosmer Howerton Johnson

Kasten Kauffman Kelly 27 Kennedy Kissell

Klindt Koller Lawson Leake Legan

Levin Liese Long Loudon Luetkenhaus

Marble May 108 Mays 50 McBride McClelland

McLuckie Merideth Monaco Murphy Murray

Nordwald O'Connor O'Toole Overschmidt Parker

Ransdall Reinhart Relford Reynolds Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Seigfreid

Sheldon 104 Shelton 57 Skaggs Smith Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Treadway Troupe Van Zandt

Vogel Wannenmacher Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 030

Akin Ballard Barnett Bartelsmeyer Berkstresser

Boatright Champion Chrismer Cooper Crawford

Edwards-Pavia Elliott Froelker Gaskill Gaston

Gross Hegeman Hendrickson Hohulin Linton

Lograsso Miller Naeger Patek Pouche

Pryor Purgason Secrest Shields Townley

PRESENT: 000

ABSENT WITH LEAVE: 015

Backer Bennett Carter Daniel 42 Davis 63

Fritts Hall Hollingsworth Kelley 47 Kreider

Lakin Ostmann Shear Steen Wiggins

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Auer moved that the vote by which the bill passed be reconsidered.

Representative Farnen moved that motion lay on the table.

The latter motion prevailed.

HB 1136, with Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 2 and Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 3*, relating to nursing homes, was taken up by Representative Ladd Stokan.*

Representative Ladd Stokan offered House Perfecting Amendment No. 1.

House Perfecting Amendment No. 1

AMEND House Bill No. 1136, Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 3, by striking Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 3 and inserting in lieu thereof the following:

"197.317. After July 1, 1983, no certificate of need shall be issued for the following:

(1) Additional residential care facility I, residential care facility II, intermediate care facility or skilled nursing facility beds above the number then licensed by this state;

(2) Beds in a licensed hospital to be reallocated on a temporary or permanent basis to nursing care or beds in a long-term care hospital meeting the requirements described in 42 C.F.R., section 412.23(e), excepting those which are not subject to a certificate of need pursuant to paragraphs (e) and (g) of subdivision (12) of section 197.305; nor

(3) The reallocation of intermediate care facility or skilled nursing facility beds of existing licensed beds by transfer or sale of licensed beds between a hospital licensed under this chapter or a nursing care facility licensed under chapter 198, RSMo; except for beds in counties in which there is no existing nursing care facility. No certificate of need shall be issued for the reallocation of existing residential care facility I or II, or intermediate care facilities operated exclusively for the mentally retarded to intermediate care or skilled nursing facilities or beds. However, after [July 1, 1999] ***April 30, 2000****, nothing in this section shall prohibit the Missouri health facilities review committee from issuing a certificate of need for additional beds in existing health care facilities or for new beds in new health care facilities or for the reallocation of licensed beds, provided that no construction shall begin prior to July 1, 2000. The provisions of subsections 16 and 17 of section 197.315 shall apply to the provisions of this section."; and*

Further amend title and enacting clause accordingly.

Representative Rizzo raised a point of order that House Perfecting Amendment No. 1 is not a true perfecting amendment.

The Chair ruled the point of order not well taken.

HB 1136, with Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 2, Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 3 *and* ***House Perfecting Amendment No. 1, pending****, was laid over.*

THIRD READING OF SENATE BILL

SB 709*, relating to presidential preference primary, was taken up by Representative Days.*

Representative Graham (24) offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Bill No. 709, Page 1, Section 115.351, by deleting said section; and

further amend the title and enacting clause accordingly.

Representative Days raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Graham (24) moved that House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Days, ***SB 709*** *was truly agreed to and finally passed by the following vote:*

AYES: 127

Alter Auer Backer Ballard Barnett
Barry 100 Bartelsmeyer Bartlett Bennett Berkstresser
Bland Bonner Boucher Broach Burton
Campbell Carter Champion Cierpiot Copeland
Crawford Crump Daniels 41 Davis 122 Days
DeMarce Dolan Donovan Dougherty Edwards-Pavia
Enz Evans Farnen Foster Froelker
Gaskill Gaston Green Griesheimer Gross
Hagan-Harrell Harlan Hartzler 123 Hartzler 124 Heckemeyer
Hegeman Hickey Hilgemann Hollingsworth Hoppe
Hosmer Howerton Johnson Kasten Kauffman
Kelley 47 Kelly 27 Kennedy Kissell Klindt
Koller Kreider Lakin Lawson Leake
Levin Liese Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Overschmidt Parker Patek Pryor

Purgason Ransdall Reinhart Relford Reynolds

Richardson Ridgeway Rizzo Robirds Ross

Sallee Scheve Schilling Schwab Secrest

Seigfreid Shelton 57 Shields Skaggs Smith

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wooten Mr. Speaker

NOES: 024

Akin Boatright Bray 84 Clayton Cooper

Elliott Fitzwater Foley Ford Franklin

Gibbons Graham 24 Gratz Gunn Hendrickson

Hohulin Holand Legan Linton Pouche

Sheldon 104 Steen Troupe Wilson

PRESENT: 000

ABSENT WITH LEAVE: 011

Bauer Chrismer Daniel 42 Davis 63 Fritts

Graham 106 Hall Ostmann Scott Shear

Van Zandt

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Murray moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

COURTESY RESOLUTIONS

***House Resolution No. 1314** through **House Resolution No. 1509** and **House Resolution No. 1511** through **House Resolution No. 1585** were taken up by Representative Backer.*

On motion of Representative Backer, Rule 63 was suspended and ***House Resolution No. 1314*** *through* ***House Resolution No. 1509*** *and* ***House Resolution No. 1511*** *through* ***House Resolution No. 1585*** *were adopted.*

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***HCS HB 1265.***

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed ***HB 1822.***

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted ***HS#2 HCS SS SCS SB 596, as amended,*** *and has taken up and passed* ***HS#2 HCS SS SCS SB 596, as amended****.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted ***HS HCS SS SCS SB 627, as amended****, and has taken up and passed* ***HS HCS SS SCS SB 627, as amended****.*

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted ***HS HCS SB 629, as amended****, and has taken up and passed* ***HS HCS SB 629, as amended****.*

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted ***HCS SS SCS SBs 852 & 913, as amended,*** *and has taken up and passed* ***HCS SS SCS SBs 852 & 913, as amended****.*

COMMUNICATIONS

Anne C. Walker

Chief Clerk/Administrator

State Capitol Building

House Post Office

Jefferson City, MO 65101

Dear Mrs. Walker:

I am declaring in writing that I was here at the Capitol on February 4, 1998.

I went to session that morning but only stayed on the floor briefly, due to the fact that I was not feeling well. I do not understand why my name was omitted from the journal on this day.

I was present and I do expect to be paid my per diem.

Sincerely,

/s/ Norman E. Sheldon

Anne C. Walker

Chief Clerk

Missouri House of Representatives

Jefferson City, MO 65101

Dear Anne:

In response to your letter requesting in writing the day that I was in attendance was Monday, January 12, 1998. I hope this will assist you with the date in question, and I will receive my per diem.

Your cooperation in this matter will be greatly appreciated.

Sincerely,

/s/ Fletcher Daniels

41st District

COMMITTEE REPORTS

***Committee on Agriculture**, Chairman Leake reporting:*

*Mr. Speaker: Your Committee on Agriculture, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass.***

House Concurrent Resolution No. 32

WHEREAS, national agricultural policies continue to focus upon a concentration of assets and wealth into larger farms and agribusiness firms, which has resulted in a reduction of over 300,000 farmers since 1979 and resulted in four large firms controlling over eighty percent of the beef market; and

WHEREAS, the United States Department of Agriculture's National Commission on Small Farms discovered that approximately ninety-four percent of the nation's farms are small farms, but such farms only average a net cash income of $23,159 and receive forty-one percent of all farm receipts; and

WHEREAS, due to the shift in profits from the production of undifferentiated raw commodities to the processing and packaging of market food, the portion of agricultural economy received by farmers has decreased from twenty-one to five percent since 1910; and

WHEREAS, it is critical to recognize the importance of small farms and to cultivate the strength of such institutions to control the future composition of the agricultural community; and

WHEREAS, small farms must be encouraged to retain a competitive advantage through a framework of supportive, responsible government and private initiatives including, but not limited to, research, extension, expansion of market opportunities and financial programs; and

WHEREAS, public policies need to be formulated to further encourage the acceleration of the development of farms owned and operated by minority and beginning farmers, including the development of farmer-owned, value-added cooperatives and farm-based businesses where profits flow to and within the community where such farmers reside; and

WHEREAS, that agricultural technologies are requiring an increasing amount of investment capital that is difficult for the average farmer to accrue or borrow:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives, Eighty-ninth General

Assembly, the Senate concurring therein, to hereby establish the "Joint Interim Committee on Small Farms and Value-added Agriculture Programs" to be composed of ten members. The members shall consist of five representatives appointed by the Speaker of the House of Representatives and five senators appointed by the President pro tem of the Senate, with no more than three from each house being members of the same political party and shall be authorized to meet during the Interim of the Eighty-ninth General Assembly, Second Regular Session; and

BE IT FURTHER RESOLVED that the committee may solicit any input and information necessary to fulfill its obligations from the Department of Agriculture, the Department of Economic Development and citizens groups; and

BE IT FURTHER RESOLVED that the Joint Interim Committee on Small Farms and Value-added Agriculture Programs shall be formed to develop a strategy to ensure the continued viability of small farms, including specific measures the public, nonprofit and private sectors can take to enhance the economic livelihood of small farms; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee members and legislative staff necessary to complete its study shall be paid from the appropriate fund of each House; and

BE IT FURTHER RESOLVED that the committee shall prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the Governor and General Assembly by January 5, 1999, and then shall be dissolved; and

BE IT FURTHER RESOLVED that the staff of House Research and Senate Research and the Committee on Legislative Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Chief Clerk be instructed to prepare properly inscribed copies of this resolution to be delivered to the Governor and the Director of the Department of Agriculture.

***Committee on Miscellaneous Bills and Resolutions**, Chairman Foley reporting:*

*Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass.***

House Concurrent Resolution No. 31

WHEREAS, it is the goal of the City of Marceline, Missouri, to create a global celebration for Walt Disney's 100th Birthday Party, featuring the State of Missouri and the Boyhood Home of Walt Disney, Marceline, Missouri; and

WHEREAS, Walt Disney was born in Chicago, Illinois, on December 5, 1901, before he and his family moved to Marceline in 1906 where he and his family resided for four years. Throughout his life, Walt Disney indicated that the years he lived in Marceline were among the happiest in his life; and

WHEREAS, although he spent a relatively brief time in Marceline as a child, his experiences in Marceline had a tremendous effect on Walt Disney's creative work. Walking down Main Street U.S.A. in Disneyland is like walking down Kansas Avenue in Marceline; and Walt Disney wrote about Marceline, "To tell the truth, more things of importance happened to me in Marceline than have happened to me since . . . and "The cows, pigs and chickens gave me a big thrill, and perhaps that's the reason we use so many barnyard animals in the Mickey Mouse and Silly Symphony pictures today."; and

WHEREAS, Walt Disney returned to Marceline on several occasions during his adult years, including, in 1956 for the dedication of the Walt Disney Park Complex and the dedication of the Walt Disney Elementary School, when Walt Disney began his plans for a Disney Park in Marceline, and the City Council appointed a committee to investigate the possibility of establishing a Walt Disney Museum in Marceline; and

WHEREAS, Walt Disney donated playground equipment for the Walt Disney Elementary School; the flagpole and Mickey Mouse and Disneyland flag from the Winter Olympics (These are the only Disney flags that are allowed to fly anywhere other than on Disney owned property); and the Midget Autopia ride from Disneyland;

and

WHEREAS, the Marceline Sante Fe Depot - Walt Disney/Railroad Museum, Main Street U.S.A. Charitable Foundation and the Marceline, Missouri Boyhood Home of Walt Disney organization are working to fulfill Walt Disney's dream for the Marceline Project by show casing to the world small town America and depict life at the turn of the century; and

WHEREAS, in September 1998, Carolwood Pacific Historical Society, a five hundred member global organization plans to meet in Marceline and at this meeting the announcement will be made for the 100th Birthday Party for Walt Disney to be held in his Boyhood Home Town, Marceline; and

WHEREAS, Marceline, Linn County and the State of Missouri will greatly benefit from the increased tourism from people attending the planned activities celebrating Walt Disney's Birthday and for the planned attractions, including a Theme Park by December 5, 2001, Renovation of Main Street U.S.A., the Santa Fe Depot Museum, Coal Mining Area tours, Water Falls and Water Rides, Western Area - Wagon Display and Native Americans exhibits:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Eighty-ninth General Assembly, Second Regular Session, the Senate concurring therein, hereby proclaim the boyhood home of Walt Disney, the City of Marceline as the headquarters for the 100th Birthday Party for Walt Disney; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the citizens of the City of Marceline.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, May 21, 1998.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-fourth Day, Thursday, May 14, 1998, pages 1917 and 1918, roll call, by showing Representatives Ballard and Murphy voting "aye" rather than "absent with leave".

Page 1919, roll call, by showing Representatives Campbell, Hartzler (124) and Scott voting "aye" rather than "absent with leave".

Page 1919, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 1919 and 1920, roll call, by showing Representatives Davis (63) and Froelker voting "aye" rather than "absent with leave".

Pages 1920 and 1921, roll call, by showing Representatives Berkstresser and Murphy voting "aye" rather than "absent with leave".

Pages 1921 and 1922, roll call, by showing Representatives Hartzler (124), Murphy, Relford, Reynolds and Shields voting "aye" rather than "absent with leave".

Pages 1922 and 1923, roll call, by showing Representatives Kreider and Levin voting "aye" rather than "absent with leave".

Pages 1922 and 1923, roll call, by showing Representatives Bartelsmeyer and Secrest voting "no" rather than "absent with leave".

Pages 1924 and 1925, roll call, by showing Representative Richardson voting "aye" rather than "absent with leave".

Pages 1926 and 1927, roll call, by showing Representative Scott voting "no" rather than "absent with leave".

Pages 1932 and 1933, roll call, by showing Representatives Barnett, Barry, Crawford, Fritts, Long, Ridgeway and Surface voting "aye" rather than "absent with leave".

Pages 1933 and 1934, roll call, by showing Representative Crawford voting "aye" rather than "absent with leave".

Page 1935, roll call, by showing Representatives Reinhart and Shields voting "aye" rather than "absent with leave".

Pages 1945 and 1946, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 1946 and 1947, roll call, by showing Representatives Dolan and Ross voting "aye" rather than "absent with leave".

Pages 1946 and 1947, roll call, by showing Representative Broach voting "no" rather than "absent with leave".

Pages 1947 and 1948, roll call, by showing Representatives Elliott and Purgason voting "no" rather than "absent with leave".

Pages 1948 and 1949, roll call, by showing Representative McClelland voting "aye" rather than "absent with leave".

Pages 1949 and 1950, roll call, by showing Representatives Champion and Johnson voting "aye" rather than "absent with leave".

Page 1950, roll call, by showing Representatives Crawford and Johnson voting "aye" rather than "absent with leave".

Pages 1951 and 1952, roll call, by showing Representative Johnson voting "aye" rather than "absent with leave".

Pages 1952 and 1953, roll call, by showing Representatives Johnson, McClelland and Williams (121) voting "aye" rather than "absent with leave".

Pages 1954 and 1955, roll call, by showing Representatives Hartzler (124), Patek and Shields voting "aye" rather than "absent with leave".

Pages 1958 and 1959, roll call, by showing Representatives Akin, Bennett, Dolan, Kelly (27) and Scott voting "aye" rather than "absent with leave".

Pages 1965 and 1966, roll call, by showing Representative O'Connor voting "no" rather than "absent with leave".

Page 1966, roll call, by showing Representatives Kennedy, O'Connor and Shields voting "aye" rather than "absent with leave".

Pages 1966 and 1967, roll call, by showing Representative Bartelsmeyer voting "aye" rather than "absent with leave".

Page 1968, roll call, by showing Representatives Berkstresser, Fitzwater and Scott voting "aye" rather than "absent with leave".

Page 1969, roll call, by showing Representative Berkstresser voting "aye" rather than "absent with leave".

Pages 1970 and 1971, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

Pages 1971 and 1972, roll call, by showing Representatives Long and Williams (121) voting "aye" rather than "absent with leave".

Pages 1972 and 1973, roll call, by showing Representatives Franklin and Scott voting "aye" rather than "absent with leave".

Pages 1972 and 1973, roll call, by showing Representative Smith voting "no" rather than "absent with leave".

Pages 1973 and 1974, roll call, by showing Representative Kauffman voting "no" rather than "absent with leave".

Pages 1976 and 1977, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 1977, roll call, by showing Representatives Long and Luetkenhaus voting "aye" rather than "absent with leave".

Pages 1982 and 1983, roll call, by showing Representatives Franklin, Scott and Surface voting "aye" rather than "absent with leave".

Pages 1983 and 1984, roll call, by showing Representatives Franklin, Scott and Surface voting "aye" rather than "absent with leave".

Pages 1984 and 1985, roll call, by showing Representatives Levin, Long, Scott and Surface voting "aye" rather than "absent with leave".

Pages 1984 and 1985, roll call, by showing Representative McClelland voting "aye" rather than "no".

Page 1987, roll call, by showing Representatives Bennett, Franklin, Levin and Surface voting "aye" rather than "absent with leave".

Pages 1989 and 1990, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 1989 and 1990, roll call, by showing Representatives Cooper and Surface voting "no" rather than "absent with leave".

Page 1991, roll call, by showing Representatives Cooper, Patek and Surface voting "aye" rather than "absent with leave".

Pages 1991 and 1992, roll call, by showing Representatives Cooper and Surface voting "aye" rather than "absent with leave".

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House Journal

Second Regular Session, 89th General Assembly

SEVENTY-SIXTH DAY, Thursday, May 21, 1998

The House met pursuant to adjournment.

Speaker Gaw in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **CCS SS SCS HS HCS HB 1095, SS SCS HS HCS HBs 1147, 1435, 1050, 1186 & 1108, HCS HB 1265, HB 1274, CCS HB 1301, SCS HB 1302, SCS HB 1352, SS SCS HS HCS HBs 1405, 1109 & 1335, SCS HCS HB 1536, SS SCS HS HCS HB 1656, CCS SS SCS HS HB 1694, HB 1822, SCS HB 1880** and **SS HCS HB 1891**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **SS#2 HJR 39, HB 898, CCS SCS HB 927, HB 931, HB 944, HB 948, HB 950, HB 955, HCS HBs 957 & 1063, HB 968, HB 986, SCS HB 987, HB 996, HB 1001, CCS HB 1002, CCS HB 1003, CCS HB 1004, CCS HB 1005, CCS HB 1006, CCS HB 1007, CCS HB 1008, CCS HB 1009, CCS HB 1010, CCS HB 1011, CCS HB 1012, SCS HCS HB 1013, SCS HCS HB 1020, HB 1021, HB 1033, SCS HB 1043, HB 1046, CCS SCS HB 1052, SCS HB 1055, SCS HB 1066, HB 1080, HB 1088, HB 1090, HB 1092, CCS#2 SS SCS HS HCS HB 1095, HB 1103, HB 1107, HB 1113, HB 1120, SCS HB 1145, SS SCS HS HCS HBs 1147, 1435, 1050, 1186 & 1108, HB 1148, HB 1157, SCS HB 1158, HB 1160, CCS SCS HS HCS HB 1161, HB 1162, HB 1201, HB 1216, HB 1226, HB 1228, SCS HB 1229, SS HS HCS HBs 1237, 1409, 1166, 1154 & 1491, HB 1240, HCS HB 1265, CCS SCS HB 1272, HB 1274, HB 1299, HB 1300, CCS HB 1301, SCS HB 1302, HB 1304, SCS HB 1309, SCS HS HCS HB 1323, SCS HB 1352, HB 1357, HB 1369, HB 1374, SCS HB 1385, SS SCS HS HCS HBs 1405, 1109 & 1335, HB 1410, HB 1419, SS SCS HS HCS HBs 1455 & 1463, HB 1468, SCS HCS**

HB 1469, HB 1476, HB 1506, HCS HB 1510, HB 1511, SS SCS HCS HBs 1519 & 1165, SCS HB 1528, HB 1531, SCS HCS HB 1536, SCS HB 1556, HB 1562, SCS HB 1571, HB 1578, HB 1586, HB 1587, HB 1588, SCS HB 1596, SCS HB 1599, HB 1600, SCS HCS HB 1620, HB 1622, SCS HS HCS HB 1636, SS SCS HS HCS HB 1656, SCS HB 1668, CCS SCS HCS HBs 1681 & 1342, CCS SS SCS HS HB 1694, HB 1705, HB 1707, HB 1718, HB 1730, SCS HB 1734, HB 1744, HB 1747, HB 1748, SCS HB 1779, HB 1791, HB 1794, HB 1802, HB 1805, HB 1807, HB 1822, HB 1837, HB 1847, HB 1856, SCS HB 1859, HB 1862, SCS HB 1876, SCS HB 1880, SS HCS HB 1891, HB 1905, SCS HB 1907, CCS SCS HB 1918 and **HB 1928** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SS#2 HJR 39, HB 898, CCS SCS HB 927, HB 931, HB 944, HB 948, HB 950, HB 955, HCS HBs 957 & 1063, HB 968, HB 986, SCS HB 987, HB 996, HB 1001, CCS HB 1002, CCS HB 1003, CCS HB 1004, CCS HB 1005, CCS HB 1006, CCS HB 1007, CCS HB 1008, CCS HB 1009, CCS HB 1010, CCS HB 1011, CCS HB 1012, SCS HCS HB 1013, SCS HCS HB 1020, HB 1021, HB 1033, SCS HB 1043, HB 1046, CCS SCS HB 1052, SCS HB 1055, SCS HB 1066, HB 1080, HB 1088, HB 1090, HB 1092, CCS#2 SS SCS HS HCS HB 1095, HB 1103, HB 1107, HB 1113, HB 1120, SCS HB 1145, SS SCS HS HCS HBs 1147, 1435, 1050, 1186 & 1108, HB 1148, HB 1157, SCS HB 1158, HB 1160, CCS SCS HS HCS HB 1161, HB 1162, HB 1201, HB 1216, HB 1226, HB 1228, SCS HB 1229, SS HS HCS HBs 1237, 1409, 1166, 1154 & 1491, HB 1240, HCS HB 1265, CCS SCS HB 1272, HB 1274, HB 1299, HB 1300, CCS HB 1301, SCS HB 1302, HB 1304, SCS HB 1309, SCS HS HCS HB 1323, SCS HB 1352, HB 1357, HB 1369, HB 1374, SCS HB 1385, SS SCS HS HCS HBs 1405, 1109 & 1335, HB 1410, HB 1419, SS SCS HS HCS HBs 1455 & 1463, HB 1468, SCS HCS HB 1469, HB 1476, HB 1506, HCS HB 1510, HB 1511, SS SCS HCS HBs 1519 & 1165, SCS HB 1528, HB 1531, SCS HCS HB 1536, SCS HB 1556, HB 1562, SCS HB 1571, HB 1578, HB 1586, HB 1587, HB 1588, SCS HB 1596, SCS HB 1599, HB 1600, SCS HCS HB 1620, HB 1622, SCS HS HCS HB 1636, SS SCS HS HCS HB 1656, SCS HB 1668, CCS SCS HCS HBs 1681 & 1342, CCS SS SCS HS HB 1694, HB 1705, HB 1707, HB 1718, HB 1730, SCS HB 1734, HB 1744, HB 1747, HB 1748, SCS HB 1779, HB 1791, HB 1794, HB 1802, HB 1805, HB 1807, HB 1822, HB 1837, HB 1847, HB 1856, SCS HB 1859, HB 1862, SCS HB 1876, SCS HB 1880, SS HCS HB 1891, HB 1905, SCS HB 1907, CCS SCS HB 1918** and **HB 1928** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SCS SB 470, SCS SB 496, SB 517, SB 551, SB 558, SCS SB 604, SB 631, SCS SB 649, SB 701, SB 719, SB 793, SB 819, SB 828, SB 829, SB 861, SB 870, SB 884, SB 900** and **SB 940** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

MESSAGES FROM THE GOVERNOR

EXECUTIVE OFFICE

State of Missouri

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

SECOND REGULAR SESSION

89TH GENERAL ASSEMBLY

STATE OF MISSOURI

Herewith I return to you House Bill No. 1508 entitled:

"AN ACT"

To repeal section 558.019, RSMo 1994, relating to prior and persistent offenders, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

On May 20, 1998, I approved said House Bill No. 1508.

Respectfully submitted

/s/ Mel Carnahan

Governor

EXECUTIVE OFFICE

State of Missouri

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

SECOND REGULAR SESSION

89TH GENERAL ASSEMBLY

STATE OF MISSOURI

Herewith I return to you House Bill No. 1609 entitled:

"AN ACT"

To repeal section 84.160, RSMo Supp. 1997, relating to the police force in certain cities, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

On May 19, 1998, I approved said House Bill No. 1609.

Respectfully submitted

/s/ Mel Carnahan

Governor

ADJOURNMENT

On motion of Speaker Gaw, the House adjourned until 10:00 a.m., Thursday, May 28, 1998.

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House Journal

Second Regular Session, 89th General Assembly

SEVENTY-SEVENTH DAY, Thursday, May 28, 1998

The House met pursuant to adjournment.

Speaker Gaw in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **SS SCS HS HCS HB 971, SCS HS HCS HBs 977 & 1608, SS SCS HCS HB 1038, CCS HCS HB 1189, SCS HS HCS HB 1434, SCS HCS HB 1526, CCS SCS HS HCS HBs 1601, 1591, 1479 & 1615 and HCS HBs 1094, 1213, 1311 & 1428** and **CCS SCS HB 1683**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **SS SCS HS HCS HB 971, SCS HS HCS HBs 977 & 1608, SS SCS HCS HB 1038, CCS HCS HB 1189, SCS HS HCS HB 1434, SCS HCS HB 1526, CCS SCS HS HCS HBs 1601, 1591, 1479 & 1615 and HCS HBs 1094, 1213, 1311 & 1428** and **CCS SCS HB 1683** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SS SCS HS HCS HB 971, SCS HS HCS HBs 977 & 1608, SS SCS HCS HB 1038, CCS HCS HB 1189, SCS HS HCS HB 1434, SCS HCS HB 1526, CCS SCS HS HCS HBs 1601, 1591, 1479 & 1615 and HCS HBs 1094, 1213, 1311 & 1428** and **CCS SCS HB 1683** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while HCS SCS SJR 24, SB 473, SS SB 478, HCS SB 479, HS HCS SCS SB 501, HCS SB 526, HCS SB 535, SCS SB 536, HCS SB 550, SB 553, HCS SB 579, HCS SS SCS SBs 583 & 645, HS#2 HCS SS SCS SB 596, CCS HS HCS SCS SBs 614, 696, 906, 530, 912 & 914, HS HCS SB 619, SB 626, HS HCS SS SCS SB 627, HS HCS SB 629, CCS HS SS#2 SCS SB 632, SB 650, HS HCS SCS SB 659, HCS SB 674, CCS HS#2 HCS SS SCS SBs 675, 483, 490 & 564, HCS SB 676, HS#2 HCS SB 680, SB 709, HS HCS SCS SB 722, HCS SS SB 724, HCS SCS SB 732, SB 733, CCS HCS SB 739, CCS HS SB 743, SS SCS SB 754, HCS SB 761, CCS#2 HCS SB 778, HCS SB 786, SCS SB 790, HCS SS SB 792, CCS#2 HCS SB 809, CCS HS HCS SB 827, HCS SB 841, HCS SB 842, HCS SB 844, HCS SS SCS SBs 852 & 913, HCS SB 854, CCS HCS SB 883, SCS SB 897, HCS SB 898, CCS HCS SS SB 910, HCS SCS SB 922, CCS HCS SB 936, SB 941, CCS SB 945, HCS SB 963 and HCS SB 970 were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Representative Ford offered an objection to CCS HS HCS SS SCS SB 781 which was appended to the bill.

CONSTITUTIONAL OBJECTION

IN THE SECOND REGULAR SESSION OF THE

EIGHTY-NINTH GENERAL ASSEMBLY

OF THE STATE OF MISSOURI

POINT OF ORDER

Comes now, Representative Louis Ford, duly elected member of the Missouri House of Representatives from the Fifty-eighth Legislative District, to present the following Point of Order with respect to Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781.

I believe this bill is constitutionally infirm for the following reasons:

1. CCS/HS/HCS/SS/SCS for Senate Bill No. 781 violates Article I, Section 2 of the Missouri Constitution by denying equal protection under the laws of Missouri by treating Missouri children differently based on the school district in which they reside.

2. CCS/HS/HCS/SS/SCS for Senate Bill No. 781 violates Article I, Section 10 of the Missouri Constitution by denying due process to the taxpayers of the City of St. Louis by providing that such persons may be taxed under certain circumstances without the approval of the residents of the City of St. Louis.

3. CCS/HS/HCS/SS/SCS for Senate Bill No. 781 violates Article II, Section 1 of the Missouri Constitution, the Separation of Powers, by allowing the Attorney General, a member of the executive branch of government, to determine the effective date of certain sections of law. Enacting laws and providing for the effective date of such laws is strictly a legislative power.

4. CCS/HS/HCS/SS/SCS for Senate Bill No. 781 violates Article X, Section 18(e) of the Missouri Constitution. Section 162.1100 of the Truly Agreed and Finally Passed bill provides a contingency where the property or sales tax in the City of St. Louis could be increased without a vote of the people.

Accordingly, I conclude that Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 781 as Truly Agreed and Finally Passed by the members of the Eighty-Ninth General Assembly is unconstitutional for the above-stated reasons and should not be signed.

Respectfully submitted,

/s/ Louis Ford

State Representative

District 58

SIGNING OF SENATE BILL

All other business of the House was suspended while CCS HS HCS SS SCS SB 781 was read at length and was signed by the Speaker to the end that the same may become law.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

State of Missouri

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

SECOND REGULAR SESSION

89TH GENERAL ASSEMBLY

STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1186 & 1108 entitled:

"AN ACT"

To repeal sections 195.211, 195.222, 195.223, 195.233, 195.420, 217.362, 311.720, 544.376, 568.045 and 569.085, RSMo 1994, and sections 195.010, 195.040, 195.060, 195.100, 195.197, 195.400, 195.410, and 570.030, RSMo Supp. 1997, and to enact in lieu thereof twenty-seven new sections for the purpose of addressing the controlled substances problem, with penalty provisions.

On May 27, 1998, I approved said Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1147, 1435, 1050, 1186 & 1108.

Respectfully submitted

/s/ Mel Carnahan

Governor

ADJOURNMENT

The Speaker declared the House of the Eighty-ninth General Assembly, convened in Second Regular Session on January 7, 1998, adjourned sine die, pursuant to the Constitution.

STEVE GAW

Speaker of the House

ANNE C. WALKER

Chief Clerk of the House

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Seventy-fourth Day, Thursday, May 14, 1998, page 1973, line 29, by inserting after the numeral "910" the following: ", as amended,".

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House Journal

VETO SESSION

Second Regular Session, 89th General Assembly

FIRST DAY, Wednesday, September 16, 1998

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

"I will sing of loyalty and of justice, to you, O Lord, I will sing." (Psalm 101:1)

In this one brief moment of stillness, O God of the Universe, we set aside all thoughts and opinions and focus our attention on You. Let us reflect on loyalty and justice -- not to any particular party, person or constituency, but only to You -- Creator and Sustainer of all that is.

God of Mercy, at this time in our nation's history, we are again, as we have been in years past, confronted with and must confess the reality of our own human frailties and failings. Help us recognize our utter dependence upon Your grace and find the strength and the courage to be grace-filled toward others.

In facing the task the Members of this House have at hand, give them guidance and discernment. Allow them clarity of thought, freedom from prejudice, and release from pettiness so that the decisions made will be as fair as is humanly possible. O Lord, we ask Your continuing guidance and blessing on those whose faces will no longer be seen in these halls, but whose presence will be felt for years to come. In whatever circumstances life may lead them beyond this place, continue to endow them with Your grace and mercy. We give thanks for their service to the people of Missouri through their representation here.

We now commit our lives, this day and its precedings, into Your keeping. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Page for the Day, to serve without compensation: Scott Grim.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 145

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Burton Campbell Carter Champion

Chrismer Cierpiot Clayton Cooper Crawford

Crump Daniel 42 Daniels 41 Davis 122 Davis 63

DeMarce Dolan Dougherty Edwards-Pavia Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Griesheimer Gross

Hagan-Harrell Hall Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kasten Kauffman Kelley 47

Kelly 27 Kennedy Kissell Klindt Koller

Kreider Lakin Lawson Leake Legan

Levin Liese Linton Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Ransdall Reinhart Relford

Richardson Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Sheldon 104 Shelton 57 Shields Smith Steen

Stokan Stoll Stroker Summers Surface

Thomason 163 Thompson 37 Thompson 72 Townley Treadway

Troupe Van Zandt Vogel Wannenmacher Wiggins

Williams 121 Williams 159 Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 005

Elliott Gunn Lograsso Reynolds Ridgeway

ABSENT WITH LEAVE: 012

Boucher Broach Copeland Days Donovan

Ford Froelker Green Purgason Rizzo

Shear Skaggs

Vacancy: 001

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has offered and adopted the following resolution:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Section 32, Article III of the Constitution and is ready for the consideration of its business.

RESOLUTIONS

Representative Backer offered House Resolution No. 1.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives inform the Governor and the Senate that the House is duly convened and is now in session in the 1998 Constitutional Veto Session and ready for

consideration of business.

On motion of Representative Backer, Rule 63 was suspended and House Resolution No. 1 was adopted by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bennett

Berkstresser Boatright Bonner Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 DeMarce

Dolan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Gaskill Gaston Gibbons

Graham 106 Graham 24 Gratz Griesheimer Gross

Gunn Hagan-Harrell Hall Harlan Hartzler 123

Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey

Hilgemann Hohulin Holand Hollingsworth Hoppe

Hosmer Howerton Johnson Kasten Kauffman

Kelley 47 Kelly 27 Kennedy Kissell Klindt

Koller Kreider Lakin Lawson Leake

Legan Levin Liese Linton Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Ransdall

Reinhart Relford Reynolds Richardson Ridgeway

Rizzo Robirds Ross Sallee Scheve

Schilling Schwab Scott Secrest Seigfreid

Shelton 57 Shields Smith Steen Stokan

Stoll Stroker Summers Surface Thomason 163

Thompson 37 Thompson 72 Townley Treadway Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Bauer Bland Boucher Copeland Days

Donovan Ford Froelker Green Purgason

Shear Sheldon 104 Skaggs Troupe

Vacancy: 001

Representative Backer offered House Resolution No. 2.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that the Chief Clerk and the Accounts, Operations, and Finance Committee of the House be authorized to employ for the 1998 Constitutional Veto Session: a Reading Clerk, six Doorkeepers, a Page, and other persons deemed necessary.

On motion of Representative Backer, Rule 63 was suspended and House Resolution No. 2 was adopted by the following vote:

AYES: 147

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bonner Bray 84 Broach

Burton Campbell Carter Champion Chrismer

Cierpiot Clayton Cooper Crawford Crump

Daniel 42 Daniels 41 Davis 122 Davis 63 DeMarce

Dolan Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Griesheimer

Gross Gunn Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Lograsso

Long Loudon Luetkenhaus Marble May 108

Mays 50 McBride McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

Nordwald O'Connor O'Toole Ostmann Overschmidt

Parker Patek Pouche Pryor Ransdall

Reinhart Relford Richardson Ridgeway Rizzo

Robirds Ross Sallee Scheve Schilling

Schwab Scott Secrest Seigfreid Sheldon 104

Shelton 57 Shields Smith Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Van Zandt Vogel

Wannenmacher Wiggins Williams 121 Williams 159 Wilson

Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland Boatright Boucher Copeland Days

Donovan Ford Green Linton Purgason

Reynolds Shear Skaggs Steen Troupe

Vacancy: 001

MESSAGES FROM THE GOVERNOR

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

June 19, 1998

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Bill No. 1003 entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1998 and ending June 30, 1999.

Section 3.090

I hereby veto $110,000 for the Missouri Alternative and Renewable Energy Technology Center at Crowder College. Crowder College will receive an increase of approximately $908,828, or 24.5 percent. This program was neither requested by the institution nor recommended by the Coordinating Board for Higher Education, and was not part of my budget recommendation. It is not appropriate to single out individual campuses for ongoing support of special projections without review and approval by the Coordinating Board. Such review is essential to ensure that state resources are allocated in the most cost-effective manner.

Missouri Alternative and Renewable Energy Technology Center by $110,000 from $110,000 to $0 General Revenue Fund.

From $134,174,407 to $134,064,407 in total for the section.

On June 19, 1998 I approved said Conference Committee Substitute for House Bill No. 1003, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Mel Carnahan

Governor

June 19, 1998

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Bill No. 1006 entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement and maintenance of state divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1998 and ending June 30, 1999.

Section 6.320

I hereby veto $1,400,000 from the Division of Environmental Quality Operations Program to correct a technical error in the appropriations bill. This money was added erroneously to the program's expense and equipment appropriation and is unnecessary because a transfer of $1,400,000 to the water permits fee fund was also provided. The transfer and the program's existing appropriation authority provide the necessary funding support for the water pollution control program.

Expense and Equipment by $1,400,00 from $2,533,248 to $1,133,248.

From $8,052,553 to $6,652,553 in total from General Revenue Fund.

From $44,825,302 to $43,425,302 in total for the section.

On June 19, 1998 I approved said Conference Committee Substitute for House Bill No. 1006, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Mel Carnahan

Governor

June 19, 1998

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Bill No. 1008 entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1998 and ending June 30, 1999.

Section 8.095

I hereby veto $18,379 for one additional clerk and related equipment for the Highway Patrol Troop D satellite communication operation in Carthage. While numerous dispatch centers were required in the past to provide statewide coverage, new technology permits efficient and effective radio communication through consolidated facilities. Additional staff at the Carthage station are unnecessary when services can be provided just as effectively through the Troop D Headquarters in Springfield.

Personal Service by $14,856 from $43,938,975 to $43,924,119 State Highways and Transportation Department Fund.

Expense and Equipment by $3,523 from $4,921,134 to $4,917,611 State Highways and Transportation Department Fund.

From $48,860,109 to $48,841,730 in total from the State Highways and Transportation Department Fund.

From $61,699,989 to $61,681,610 in total for the section.

Section 8.135

I hereby veto $43,549 for expense and equipment for four additional Water Patrol Officers. This amount is not necessary to adequately equip these officers, and the bill after veto still provides $121,077 per new officer. Since Fiscal Year 1993, the Water Patrol has been appropriated 17 additional officers, a 24 percent increase. In addition, the Water Patrol received Fiscal Year 1999 funding to hire three support staff so that officers can move from behind the desk to water patrol duty.

Expense and Equipment by $43,549 from $2,007,551 to $1,964,002 General Revenue Fund.

From $5,677,923 to $5,634,374 in total from General Revenue Fund.

From $6,771,314 to $6,727,765 in total for the section.

On June 19, 1998, I approved said Conference Committee Substitute for House Bill No. 1008, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Mel Carnahan

Governor

June 19, 1998

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Bill No. 1009 entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1998 and ending June 30, 1999.

Section 9.400

I hereby veto $150,000 general revenue for statewide transportation contracts for inmate families. These funds were not part of my original budget and were not requested by the Department of Corrections. The funding provided is inadequate to address the statewide scope of the intended program and it is questionable whether this is an appropriate use of state funds. The Department of Corrections will continue to work with volunteer organizations to facilitate visits for inmates.

For the purpose of funding statewide transportation contracts with non-profit organizations by $150,000 from $150,000 to $0 from General Revenue Fund.

From $4,528,456 to $4,378,456 in total for the section.

On June 19, 1998, I approved said Conference Committee Substitute for House Bill No. 1009, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Mel Carnahan

Governor

June 19, 1998

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Bill No. 1012 entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement System, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, the Committee on Public Employee Retirement, the Committee on Administrative Rules, the Joint Committee on Capital Improvements Oversight and the Joint Committee on Economic Development; and for the expenses of the interim committees established by the General Assembly, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1998 and ending June 30, 1999.

Section 12.305

I hereby veto $122,955 general revenue for a public defender office in the 40th Judicial Circuit. The caseload in both Newton and McDonald counties declined last year and the circuit is adequately served by current offices in Carthage and Monett. In addition, the funding provided is not sufficient to staff and equip an office.

Personal Service by $81,125 from $17,731,327 to $17,650,202.

Expense and Equipment by $41,830 from $3,942,658 to $3,900,828.

From $23,613,461 to $23,490,506 in total from General Revenue Fund.

From $23,662,464 to $23,539,509 in total for the section.

On June 19, 1998, I approved said Conference Committee Substitute for House Bill No. 1012, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Mel Carnahan

Governor

June 19, 1998

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Bill No. 1020 entitled:

"AN ACT"

To appropriate money for planning, grants, equipment, lease purchase payments and for capital improvements, including but not limited to additions, renovation, new structures and land improvements, and to transfer money among certain funds.

Section 20.005

I hereby veto $20,000 general revenue for design, renovation, construction, and improvements of facilities and classrooms at the Franklin Technology Center in Joplin. This project was not part of my original budget, nor was it recommended by the Department of Elementary and Secondary Education. A competitive process exists within the Department of Elementary and Secondary Education, which should be used for such needs. Also, local matching funds must be provided on a 50/50 state/local basis in order to be eligible for state funds. Available information indicates that no local matching funds have been offered for this project.

For facilities and classrooms at the Franklin Technology Center in Joplin by $20,000 from $20,000 to $0.

From $3,696,593 to $3,676,593 in total from General Revenue Fund.

From $6,696,593 to $6,676,593 in total for the section.

Section 20.101

I hereby veto $35,000 general revenue for planning and development of a clean-room technology center at the Crowder Area Vocational Technology Center and $40,000 general revenue for development of clean-room technology in Webb City, which is not an area vocational school. These projects were not part of my original budget, nor were they recommended by the Department of Elementary and Secondary Education. These projects can apply for customized training grants. A competitive process exists within the Department of Elementary and Secondary Education, which should be used to prioritize such needs.

Said section is vetoed in its entirety from $75,000 to $0 in total from General Revenue Fund.

From $75,000 to $0 in total for the section.

On June 19, 1998, I approved said Senate Committee Substitute for House Committee Substitute for House Bill No. 1020, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Mel Carnahan Governor

July 10, 1998

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1434 entitled:

"AN ACT"

To repeal section 301.177, RSMo 1994, sections 301.025, 301.129, 301.131, 301.140, 301.145, 301.441, 301.443, 301.444, 301.445, 301.447, 301.448, 301.449, 301.451, 301.453, 301.454, 301.456, 301.457, 301.458, 301.459, 301.461, 301.462, 301.463, 301.464, 301.465 and 301.466, RSMo Supp. 1997, sections 301.130 and 301.144, as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 70 of the first regular session of the eighty-eighth general assembly, and sections 301.130 and 310.144, as enacted by house committee substitute for senate substitute for senate bill no. 3 of the first regular session of the eighty-eighth general assembly, relating to motor vehicle license plates, and to enact in lieu thereof forty-five new sections relating to the same subject, with an emergency clause.

Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1434 is a motor vehicle special license plate bill. The bill establishes an Advisory Committee for the purpose of developing guidelines for the issuance of specialized motor vehicle license plates. In addition, it creates 13 new license plate types and establishes consistency among the fees charged for various types of plates.

However, I disapprove of Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1434. A problematic portion of this bill requires a complete redesign and reissue of all license plates. This will cost the State of Missouri $9.5 million dollars over the next two fiscal years.

The State of Missouri just accomplished a major effort within the last two years to redesign and reissue the state's license plates. This large expenditure of state funds cannot be justified.

For the above and foregoing reasons for disapproval, I am returning Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1434 without my approval.

Respectfully submitted,

/s/ Mel Carnahan

Governor

June 5, 1998

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1455 & 1463 entitled:

"AN ACT"

To repeal sections 70.686, 70.697, 86.390, 86.440, 86.441, 86.483, 86.680, 86.750, 104.352 and 104.370, RSMo 1994, and sections 86.251, 86.253, 86.256, 86.260, 86.280, 86.283, 86.287, 86.447, 86.620, 86.672, 86.810, 87.371, 104.374, and 104.612, RSMo Supp. 1997, and section 104.348, as truly agreed to and finally passed by the second regular session of the eighty-ninth general assembly in house committee substitute for senate bill no. 841, relating to certain retirement systems, and to enact in lieu thereof twenty-seven new sections relating to the same subject, with an emergency clause for certain sections.

I disapprove of Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1455 & 1463. My reasons for disapproval are as follows:

The Missouri constitution, and the statutes of this state as passed by the General Assembly, require that an actuarial cost analysis of a substantial change in retirement benefits be completed and that such analysis be made available to the public for five days prior to the taking of any final action on the proposed change.

The change relevant to the retirement benefits of the General Assembly was a "substantial proposed change" and was subject to the procedure established by the General Assembly pursuant to the Constitution of the State of Missouri.

The most relevant statutory section the General Assembly adopted when they devised the required process for any substantial change in plan benefits in Section 105.685, which provides that:

"**A substantial proposed change in plan benefits shall not become effective until such time as the provisions of sections 105.660 to 105.685 are complied with.**"

As such, compliance with the procedure established by the General Assembly pursuant to the Constitution of the State of Missouri becomes the essential "condition precedent" to the effectiveness of the substantial change in a retirement benefit.

The Joint Committee on Public Employee Retirement shares this view. The fiscal note prepared for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1455 & 1463, dated May 13, 1998, the date this bill was Truly Agreed and Finally Passed, stated in pertinent part:

"Officials of the Joint Committee on Public Employee Retirement have reviewed this proposal and have determined that it represents a "substantial proposed change" in future plan benefits as defined in section 105.660(5), RSMo. Therefore, **an actuarial cost statement is required to be provided *prior to final action by either legislative body or committee thereof*.**"

The actuarial analysis of the cost of changes to the retirement benefits of the members of the General Assembly was never done. Because the analysis was never done, it was never available to the public for five days preceding final action on the bill. The passage of this bill failed to comply with the procedures required by the Constitution and other laws of Missouri.

In addition to procedural defects, it has also become clear that the technical language of the bill did not conform to the intent of many legislators to pass a reasonable and appropriate pension bill.

Several legislators of both parties have advised me that they did not intend the cost of living provisions of the bill relating to legislative retirement to be retroactive. They had intended them to be prospective only. They have urged me to veto the bill if it is determined the COLA increases would be retroactive in application. Technical analysis by my staff has confirmed this retroactive application.

Therefore, as a result of the failure to comply with the provisions of sections 105.660-105.685, and with the encouragement of those members of the General Assembly who have advised me that the retroactive effect of this bill was not their intent, I must disapprove and veto this bill.

There are good initiatives contained in this bill, most importantly the increase in benefits for the widows and the dependents of policemen and those changes to benefit the firemen's retirement system. The legislature should revisit next year the provisions of this bill dealing with widows and dependents of police officers and changes for the firemen's pension system.

For all of the above stated reasons for disapproval, I am returning Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1455 & 1463 without my approval.

Respectfully submitted,

/s/ Mel Carnahan

Governor

July 10, 1998

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Bill No. 1744 entitled:

"AN ACT"

To repeal section 513.430, RSMo 1994, relating to property exempt from attachment, and to enact in lieu thereof one new section relating to the same subject.

I disapprove of House Bill No. 1744. My reasons for disapproval are as follows:

While I support the exemption of Roth IRA's from attachment and execution, the language of the bill does not make it clear and unambiguous that the exemption shall not apply to actions to collect child support. While it is necessary to protect the retirement benefits of the individual, the individual's responsibility to financially support the individual's children cannot be ignored.

For all of the above stated reasons for disapproval, I am returning House Bill No. 1744 without my approval.

Respectfully submitted,

/s/ Mel Carnahan

Governor

July 10, 1998

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for House Bill No. 1880 entitled:

"AN ACT"

To repeal section 301.140, RSMo Supp. 1997, and to enact in lieu thereof two new sections relating to motor vehicles, with an effective date for a certain section.

I disapprove of Senate Committee Substitute for House Bill No. 1880. My reasons for disapproval are as follows:

The language in the bill is ambiguous and vague as to its meaning and purpose. The words and phrases "positioning", "highest degree of care", "authorized motor vehicle dealer" and "authorized motor vehicle repair shop" are not defined and create an ambiguity as to the bill's application.

For all of the above stated reasons for disapproval, I am returning Senate Committee Substitute for House Bill No. 1880 without my approval.

Respectfully submitted,

/s/ Mel Carnahan

Governor

July 10, 1998

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Bill No. 1928 entitled:

"AN ACT"

To repeal section 701.031, RSMo 1994, relating to disposal of sewage, and to enact in lieu thereof one new section relating to the same subject.

I disapprove of House Bill No. 1928. My reasons for disapproval are as follows:

Due to ambiguous language the bill risks unintentionally increasing health risks to occupants of residential lots because it may increase the number of unregulated individual sewage systems on residential acreages.

For all of the above stated reasons for disapproval, I am returning House Bill No. 1928 without my approval.

Respectfully submitted,

/s/ Mel Carnahan

Governor

HOUSE BILLS VETOED FROM THE

SECOND REGULAR SESSION

Speaker Gaw read the following House Bills vetoed from the Second Regular Session **CCS HB 1003, CCS HB 1006, CCS HB 1008, CCS HB 1009, CCS HB 1012, SCS HCS HB 1020, SCS HS HCS HB 1434, SS SCS HS HCS HBs 1455 & 1463** and **HB 1744**.

HB 1744, relating to exemption from attachment for ROTH IRAs, was taken up by Representative Akin.

Representative Akin moved that **HB 1744** be enacted into law, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 070

Akin Alter Ballard Barnett Bartelsmeyer

Bennett Berkstresser Boatright Broach Burton

Champion Chrismer Cierpiot Cooper Crawford

Dolan Edwards-Pavia Elliott Enz Evans

Foster Froelker Gaskill Gaston Gibbons

Graham 106 Griesheimer Gross Hall Hartzler 123

Hartzler 124 Hegeman Hendrickson Hohulin Holand

Howerton Kasten Kauffman Kelley 47 Klindt

Legan Levin Linton Lograsso Long

Loudon Marble McClelland Merideth Miller

Murphy Naeger Nordwald Ostmann Patek

Pryor Reinhart Richardson Ridgeway Robirds

Ross Sallee Schwab Scott Secrest

Shields Summers Surface Wannenmacher Wooten

NOES: 077

Auer Backer Barry 100 Bartlett Bauer

Bland Bonner Bray 84 Campbell Carter

Clayton Crump Daniels 41 Davis 122 Davis 63

DeMarce Dougherty Farnen Fitzwater Foley

Franklin Fritts Graham 24 Gratz Hagan-Harrell

Harlan Heckemeyer Hickey Hilgemann Hollingsworth

Hoppe Hosmer Johnson Kelly 27 Kennedy

Kissell Koller Kreider Lakin Lawson

Leake Liese Luetkenhaus May 108 Mays 50

McBride McLuckie Monaco Murray O'Connor

O'Toole Overschmidt Parker Ransdall Relford

Reynolds Rizzo Scheve Schilling Seigfreid

Sheldon 104 Shelton 57 Smith Stokan Stoll

Stroker Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Van Zandt Wiggins Williams 121 Williams 159

Wilson Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 015

Boucher Copeland Daniel 42 Days Donovan

Ford Green Gunn Pouche Purgason

Shear Skaggs Steen Troupe Vogel

Vacancy: 001

Speaker Gaw read the following House Bills vetoed from the Second Regular Session: **SCS HB 1880** and **HB 1928**.

RESOLUTION

Representative Backer offered House Resolution No. 3.

House Resolution No. 3

BE IT RESOLVED, by the House of Representatives, that the Chief Clerk of the House inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **CCS HB 1003, CCS HB 1006, CCS HB 1008, CCS HB 1009, CCS HB 1012, SCS HCS HB 1020, SCS HS HCS HB 1434, SS SCS HS HCS HBs 1455 & 1463, SCS HB 1880** and **HB 1928** when the bills were called by the Speaker and that a motion to override the veto on **HB 1744** was made and failed when the bill was called by the Speaker.

On motion of Representative Backer, Rule 63 was suspended and House Resolution No. 3 was adopted by the following vote:

AYES: 148

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Crawford Crump Daniels 41 Davis 122 Davis 63

DeMarce Dougherty Edwards-Pavia Elliott Enz

Evans Farnen Fitzwater Foley Foster

Franklin Fritts Froelker Gaskill Gaston

Gibbons Graham 106 Graham 24 Gratz Griesheimer

Gross Hagan-Harrell Harlan Hartzler 123 Hartzler 124

Heckemeyer Hegeman Hendrickson Hickey Hilgemann

Hohulin Holand Hollingsworth Hoppe Hosmer

Howerton Johnson Kauffman Kelley 47 Kelly 27

Kennedy Kissell Klindt Koller Kreider

Lakin Lawson Leake Legan Levin

Liese Linton Lograsso Long Loudon

Luetkenhaus Marble May 108 Mays 50 McBride

McClelland McLuckie Merideth Miller Monaco

Murphy Murray Naeger Nordwald O'Connor

O'Toole Ostmann Overschmidt Parker Patek

Pouche Pryor Ransdall Reinhart Relford

Reynolds Richardson Ridgeway Rizzo Robirds

Ross Sallee Scheve Schilling Schwab

Scott Secrest Seigfreid Sheldon 104 Shelton 57

Shields Smith Steen Stokan Stoll

Stroker Summers Surface Thomason 163 Thompson 37

Thompson 72 Townley Treadway Troupe Van Zandt

Vogel Wannenmacher Wiggins Williams 121 Williams 159

Wilson Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Boucher Copeland Daniel 42 Days Dolan

Donovan Ford Green Gunn Hall

Kasten Purgason Shear Skaggs

Vacancy: 001

The following member's presence was noted: Copeland

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, September 17, 1998.

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House Journal

VETO SESSION

Second Regular Session, 89th General Assembly

SECOND DAY, Thursday, September 17, 1998

Speaker Gaw in the Chair.

Prayer by Representative Betty Thompson.

Our Father, God as we gather here this morning to prepare for another days journey to deal with the business of our great state, in hopes that this second 89th General Assembly will be one of commitment, dedication, and decency and trust.

Dear God, bless each and everyone of our families, give them the guidance to understand, and appreciate our commitment to serve not only them, but our constituents. And lastly make this day one of knowledge, understanding, caring and sharing of information. We ask these blessings in our God's name, who is the God of weary years, the God of our many tears, God who has brought us thus far on this journey. God who has by Thy might, lead us into the light. Keep us forever in Thy path we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kelsey Ward, Morris White, Johnny Hoelting and Ryan Aubuchon.

The Journal of the first day was approved as corrected by the following vote:

AYES: 146

Akin Alter Auer Backer Ballard

Barnett Barry 100 Bartelsmeyer Bartlett Bauer

Bennett Berkstresser Bland Boatright Bonner

Bray 84 Broach Burton Campbell Carter

Champion Chrismer Cierpiot Clayton Cooper

Copeland Crawford Crump Daniel 42 Daniels 41

Davis 122 Davis 63 DeMarce Dolan Dougherty

Edwards-Pavia Enz Evans Farnen Fitzwater

Foley Foster Franklin Fritts Froelker

Gaskill Gaston Gibbons Graham 106 Graham 24

Gratz Gross Hagan-Harrell Hall Harlan

Hartzler 123 Hartzler 124 Heckemeyer Hegeman Hendrickson

Hickey Hilgemann Hohulin Holand Hollingsworth

Hoppe Hosmer Howerton Johnson Kasten

Kauffman Kelley 47 Kelly 27 Kennedy Kissell

Klindt Koller Kreider Lakin Lawson

Leake Legan Levin Liese Linton

Lograsso Long Loudon Luetkenhaus Marble

May 108 Mays 50 McClelland McLuckie Merideth

Miller Monaco Murphy Murray Naeger

O'Toole Ostmann Overschmidt Parker Patek

Pryor Ransdall Reinhart Relford Richardson

Ridgeway Rizzo Robirds Ross Sallee

Scheve Schilling Schwab Scott Secrest

Seigfreid Sheldon 104 Shelton 57 Shields Smith

Steen Stokan Stoll Stroker Summers

Surface Thomason 163 Thompson 37 Thompson 72 Townley

Treadway Troupe Van Zandt Vogel Wannenmacher

Wiggins Williams 121 Williams 159 Wilson Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Boucher Days Donovan Elliott Ford

Green Griesheimer Gunn McBride Nordwald

O'Connor Pouche Purgason Reynolds Shear

Skaggs

VACANCY: 001

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has offered and adopted the following resolution:

SENATE RESOLUTION NO. 5

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Section 32, Article III of the Constitution, made no motion to override the Governor's vetoes of Senate Committee Substitute for Senate Bill No. 604; Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 614, 696, 906, 530, 912 and 914; House Substitute for House Committee Substitute for Senate Bill No. 629; House Committee Substitute for Senate Bill No. 841 and House Committee Substitute for Senate Bill No. 970 when the bills were so called by the President.

LETTER OF RESIGNATION

September 16, 1998

The Honorable Mel Carnahan

Governor, State of Missouri

Capitol Building, Room 216

Jefferson City, Missouri 65101

Dear Governor Carnahan:

I find it necessary to resign my position as Representative from the 163rd District of the Missouri House of Representatives, effective with the close of business September 30, 1998.

Respectfully yours,

/s/ Larry Thomason

cc: Speaker Gaw

Chief Clerk

ADJOURNMENT

On motion of Representative Copeland, the Veto Session of the Eighty-ninth General Assembly, Second Regular Session, was adjourned sine die.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, First Day, Wednesday, September 16, 1998, pages 1 and 2, roll call, by showing Representatives Broach and Froelker voting "aye" rather than "absent with leave".

Page 3, roll call, by showing Representatives Bland and Froelker voting "aye" rather than "absent with leave".

Page 4, roll call, by showing Representatives Bland, Boatright, Linton and Reynolds voting "aye" rather than "absent with leave".

Page 14, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".